

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at LB31/32 - Loxley House, Station Street, Nottingham, NG2 3NG on 23 September 2015 from 14.35 - 16.53

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Cat Arnold (Vice Chair)
Councillor Jim Armstrong
Councillor Graham Chapman (Minutes 20 - 25)
Councillor Azad Choudhry
Councillor Alan Clark
Councillor Michael Edwards
Councillor Rosemary Healy
Councillor Gul Nawaz Khan (Minutes 20 - 27)
Councillor Sally Longford (Minutes 20 - 27)
Councillor Wendy Smith (Minutes 20 - 25)
Councillor Malcolm Wood (Minutes 26 - 30)
Councillor Linda Woodings
Councillor Steve Young
Councillor Patience Ifediora

Absent

Councillor Toby Neal
Councillor Brian Parbutt,
Substituted by Councillor Patience Ifediora

20 APOLOGIES FOR ABSENCE

Councillor Brian Parbutt (Non-Council Business), Councillor Patience Ifediora Substituting.
Councillor Malcolm Wood (For lateness, Other Council Business)

21 DECLARATIONS OF INTERESTS

Councillor Alan Clark informed the Committee that he is a Board Member of Nottingham Regeneration Ltd which had been consulted and submitted observations in relation to items 4a and 4f. He did not feel that this prohibited him from taking part in the discussions or voting on the items.

Councillor Jim Armstrong informed the Committee that he used to employ the applicant for item 4a. He did not feel that this prohibited him from taking part in the discussion or voting on the item.

22 MINUTES

The minutes of the meeting held on 22 July 2015 were agreed as a true record and they were signed by the Chair.

23 PLANNING APPLICATIONS: REPORTS OF THE HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION

The Chair agreed to change the order of the agenda to take item 4e (33 Wollaton Vale) first and then item 4c (The Fiveways, Edwards Lane) due to the number of citizens attending the meeting to hear these items.

24 33 WOLLATON VALE

Rob Percival, Area Planning Manager, introduced a report of the Head of Development Management and Regeneration on application 15/01236/PFUL3 submitted by Arrive Design on behalf of Mr I Ahmed for single and two storey extensions to the front, side and rear of 33 Wollaton Vale. The application had been significantly amended since it had first been submitted to reduce the impact on the neighbouring properties. The application had been brought to the Committee due to the level of public interest that was contrary to the officer recommendation.

During discussion the Committee considered the following issues:

- a) The original plans for the property had a much larger first floor extension which had been reduced so it no longer extended beyond the first floor of the adjacent No. 35. A gap of just under a metre between the property and the boundary with No. 35 had also been included which would provide rear access to the property.
- b) An outbuilding is under construction to the rear of the garden at the property under permitted development. This part of the garden falls under the jurisdiction of Broxtowe Borough Council.
- c) Off street parking would be provided on the driveway at the front of the property which had sufficient space for at least two cars. This is not uncommon on Wollaton Vale.
- d) The use of the property was not to change; it would continue to be used as a family dwelling (C3 use).
- e) A significant number of properties on Wollaton Vale had been redeveloped in a similar manner.
- f) The fact that there had been a death on the site which was being investigated by the Police and Health and Safety Executive, while a serious matter, was not material to the planning process.

RESOLVED to

- (1) grant planning permission for the reasons set out in the report subject to the indicative conditions substantially in the form of those listed in the draft decision notice;**

- (2) delegate power to determine the final details of the conditions to the Head of Development Management and Regeneration.**

25 THE FIVEWAYS, EDWARDS LANE

Martin Poole, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on an application submitted by Mimar design on behalf of Sherwood Education and Cultural Centre for planning permission for retention of use as a community centre, coffee bar, function rooms and meeting rooms (15/01624/PFUL3) and for listed buildings consent for internal and external alterations for conversion to community centre, coffee bar, function rooms and meetings rooms (15/01542/LLIS1). The application had been brought to the Committee because of the level of public interest in the matter.

The building is an iconic, Grade II listed building which had previously been used as a public house. The application sought to convert the property to a community centre with potential opening hours from 6:00 until 00:30. A temporary planning permission was proposed due to concern about possible parking and noise issues..

During discussion the Committee considered the following issues:

- a) The change of use of public houses is not unprecedented in the city and while it is unfortunate that another public house will be lost the fact that the building would remain available for community use was welcomed.
- b) Concerns about potential noise, traffic and parking problems, particularly during early morning weekend opening were shared but it was felt that the proposed temporary planning permission addressed these.
- c) A member of the committee questioned whether the proposals were in line with Aligned Core Strategy Policy 11: The Historic Environment. Mr Poole informed the committee that the important elements of the building would be retained and the use could change without the need for planning permission. The proposal was therefore in accordance with Policy 11.

Councillor Malcolm Wood, who arrived at the meeting part way through this item, did not participate in the discussions or vote on this matter.

RESOLVED to

- (1) Grant temporary planning permission subject to the indicative conditions listed in the draft decision notice;**
- (2) Grant listed building consent subject to the conditions listed in the draft decision notice;**
- (3) Delegate authority to the Head of Development Management and Regeneration to determine the final details of the conditions.**

26 PARK YACHT CLUB, TRENT LANE

Councillor Alan Clark informed the Committee that he is a Board Member of Nottingham Regeneration Ltd which had been consulted and submitted observations in relation to this item. He did not feel that this prohibited him from taking part in the discussion or voting on the item.

Councillor Jim Armstrong informed the Committee that he used to employ the applicant for item 4a. He did not feel that this prohibited him from taking part in the discussion or voting on the item.

Councillor Malcolm Wood informed the Committee that he is a Director of Nottingham Racecourse Ltd. He did not feel that this prohibited him from taking part in the discussion or voting on the item.

Martin Poole, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on application 15/01202/PFUL3 submitted by Franklin Ellis Architects on behalf of McCann Family Investments Ltd seeking the demolish existing buildings and erect three apartment blocks (81 apartments) and associated works,

The Committee also considered additional information contained in the update sheet, noting the comments of Urban Design, which had been published subsequent to the agenda publication.

During discussions, the Committee considered the following issues:

- a) Concern had been expressed during the consultation process about the impact the development could have on a potential pedestrian and cycle bridge over the River Trent. Martin Poole explained that the bridge was no more than a concept and had no status in planning policy. However, the development would not preclude the possibility of a bridge being developed in either this or an alternative location in the future.
- b) Several councillors expressed concern about the face of the bank onto the river being hard concrete and the impact this could have on biodiversity. It was agreed that this could be addressed through conditions.
- c) Several committee members expressed the view that the architectural design of the development lacked detail and compared unfavourably with the neighbouring River Crescent development but several others spoke favourably of the development's elegance and simplicity.
- d) The issue of viability assessment was discussed and Committee members requested involvement in the prioritisation process for Section 106 funding if it is not possible to achieve the full contribution which would ordinarily be required in accordance with planning policy.. It was agreed that colleagues would consult with an informal panel comprising Councillors Gibson, Arnold, Armstrong and Clark. It was also agreed that the same panel could look more generally at the issue of the use of Section 106 funding for affordable housing.

RESOLVED

(1) Subject to:

- a) the prior completion of a Section 106 planning obligation which shall include:
 - i) the on-going management and maintenance of areas of open space within the development;**
 - ii) permission for public use of the foot/cycle path and open space provided along the riverside****
- b) the conclusion of the independent review of the submitted viability appraisal and consultation with the Chair, Vice Chair, opposition spokesperson and Councillor Clark:
 - iii) the provision of travel information packs for each dwelling, together with funding for the provision of initial Kangaroo travel passes on request (equating to a maximum financial value of £42,120);**
 - iv) a financial contribution of £32,665 towards the provision of further school places at Nottingham Academy;**
 - v) the provision of 16 on site affordable housing units or, if appropriate, a commuted sum in lieu of this on-site provision.****

to GRANT planning permission subject to the indicative conditions substantially in the form of those listed in the draft decision notice, to include conditions related to the river frontage and its visual impact and impact on biodiversity

- (2) to delegate power to determine the final details of the conditions of planning permission to the Head of Development Management and Regeneration;**
- (3) to delegate power to determine the final details of the Planning Obligation to the Head of Development Management and Regeneration, in consultation with the Chair, Vice Chair, opposition spokesperson and Councillor Clark;**
- (4) that the Committee is satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligation sought is (a) necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development;**
- (5) that the Committee is satisfied that the Section 106 obligations sought would not exceed the permissible number of obligations according to the Regulation 123 (3) Community Infrastructure Levy Regulations 2010.**

27 EXTERNAL WALL INSULATION - VARIOUS PROPERTIES WITHIN LENTON ABBEY AREA

Rob Percival, Area Planning Manager, introduced a report of the Head of Development Management and Regeneration on application 15/02115/PFUL3 submitted by Nottingham City Homes for external wall insulation to 343 Nottingham City Homes owned properties within the Lenton Abbey Area. He explained that a different approach would be applied to each of the housing types on the estate in order to retain some of the original features of the properties and that it would have a significant impact on the character of the estate, refreshing it and changing it from its historic red brick character.

During discussion the Committee raised the following issues:

- a) The impact the scheme would have on the area was welcomed, particularly the positive impact it would have on the high levels of fuel poverty in the area;
- b) Privately owned houses were not covered by the scheme but events were being held providing private owners with information about the scheme. These were also attended by Nottingham Credit Union who would be able to support those interested in financing the insulation of their homes.
- c) Concern was expressed about the maintenance of the render and potential discolouration in the future but this would be managed by Nottingham City Homes.

Councillor Cat Arnold, who had left the room during the discussions on this item, did not participate in the discussions or vote on this matter.

RESOLVED to

(1) grant planning permission subject to:

- a) no material issues arising from any representations received beyond the Committee date until the expiry of the consultation period on 28 September 2015;**
- b) the indicative conditions substantially in the form of those listed in the draft decision notice;**

(2) delegate power to determine the final details of the conditions to the Head of Development Management and Regeneration.

28 FORMER PREMIER PUMP AND TANK CO LTD, DAYBROOK STREET

Martin Poole, Area Planning Manager introduced a report of the Head of Development Management and Regeneration on application 15/01644/PFUL3 submitted by Pelham Architects on behalf of Waters Homes for a development of 11 new dwellings and associated works on Daybrook Street, Sherwood. The Application

had been brought to the committee at the request of a Ward Councillor. The Committee also considered additional information contained in the update sheet, published subsequent to the agenda, which provided details of the information provided by the Ward Councillor who had received a comment from a nearby resident expressing concern about the amount of parking in the development. Mr Poole explained that nine parking spaces were being provided for the 11 properties and that these were small properties in a very accessible location with good public transport access. There was also potential for on street parking in the area.

RESOLVED to

- (1) grant planning permission subject to the indicative conditions listed in the draft decision notice;**
- (2) delegate power to determine the final details of the conditions to the Head of Planning Management and Regeneration.**

29 LAND NORTH OF TRAINING SHIP ORION, RACECOURSE ROAD

Councillor Alan Clark informed the Committee that he is a Board Member of Nottingham Regeneration Ltd which had been consulted and submitted observations in relation to this item. He did not feel that this prohibited him from taking part in the discussion or voting on the item.

Martin Poole, Area Planning Manager introduced the report of the Head of Planning Management and Regeneration on Application 15/01140/PFUL3 submitted by Pinelog Limited on behalf of Endeavour Northern for a new reception building, equipment storage yard and moorings. He explained that the application was being brought to the Committee because it is a proposal for development within the Green Belt that is also being treated as a departure to the Local Plan. However, it was felt that there were very special circumstances related to the development, as set out in the report..

RESOLVED to

- (1) grant planning permission subject to the conditions listed in the draft decision notice;**
- (2) delegate power to the Head of Development Management and Regeneration to determine the final details of the conditions.**

30 4 PARK DRIVE

Rob Percival, Area Planning Manager introduced the report of the Head of Development Management and Regeneration on application 15/01665/PFUL3 submitted by Zenith Planning and Design on behalf of Mr Tom Glancz for retention of use of part of the first floor as a separate self-contained flat. The application had been brought to the Committee due to the complex and sensitive issues related to it.

The Committee also considered the additional information contained in the update sheet published subsequent to the agenda which provided comments received from

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an agent acting on behalf of a local resident, representation on behalf of the Park Estate Board and representation made by the applicant.

During discussion Mr Percival clarified issues relating to parking and the subdivision of the building in general

RESOLVED to

- (1) grant planning permission subject to the indicative conditions listed in the draft decision notice;**
- (2) delegate power to the Head of Planning Management and Regeneration to determine the final details of the conditions.**