

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 23 December 2015 from 14.30 pm - 15.24 pm

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Jim Armstrong
Councillor Graham Chapman
Councillor Michael Edwards
Councillor Rosemary Healy (minutes 34 - 37(a) and 37(c) - 37(d))
Councillor Patience Uloma Ifediora
Councillor Toby Neal
Councillor Brian Parbutt
Councillor Malcolm Wood
Councillor Linda Woodings
Councillor Steve Young

Absent

Councillor Cat Arnold
Councillor Azad Choudhry
Councillor Alan Clark
Councillor Gul Nawaz Khan
Councillor Sally Longford,
Substituted by Councillor Patience Uloma Ifediora
Councillor Wendy Smith

34 APOLOGIES FOR ABSENCE

Councillor Azad Choudhry (leave)
Councillor Alan Clark (illness)
Councillor Gul Khan (leave)
Councillor Sally Longford (leave)

35 DECLARATIONS OF INTERESTS

Councillors Linda Woodings and Jim Armstrong informed the Committee that they live close to The Wollaton Public House and Kitchen, agenda item 4 (c), minute 37 (c), which did not preclude them from speaking or voting on the item.

36 MINUTES

The minutes of the meeting held on 21 October 2015 were agreed as a true record and they were signed by the Chair.

37 PLANNING APPLICATIONS

(a) Broadmarsh Centre, Lister Gate

Rob Percival, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on application 15/00950/PFUL3 submitted by Nathaniel Lichfield & Partners on behalf of Broadmarsh Retail Limited Partnership for planning permission for:

- part demolition, alteration and extension of intu Broadmarsh shopping centre, including change of use and erection of new buildings to provide for uses

within A1-A5 (shops, financial & professional services, restaurants & cafes, drinking establishments and hot food take-away), and D2 (assembly and leisure);

- demolition of the western pedestrian bridge, and refurbishment of the eastern bridge across Collin Street;
- alterations to existing entrances on Collin Street, Lister Gate and Drury Walk;
- creation of a new entrance on Middle Hill;
- other ancillary works and operations.

The report was brought to the Committee to consider revisions to three conditions to the original planning application as they were beyond the scope of the delegated power of the Head of Development Management and Regeneration. The conditions related to the pedestrian access to the Caves of Nottingham, the control of non Class A1 uses, and the materials to be used along the north/south route from Collin Street to Lister Gate.

The Committee also considered additional information contained in the update sheet, copies of which were placed around the table and which had also been published subsequent to the agenda publication.

During discussion the Committee considered the following issues:

- (a) the proposals for there to be a 'street feel' to north/south route of the development was welcomed, but assurance was sought that the amended condition would still ensure this;
- (b) the Committee was assured that the caves are seen as an important part of the Centre and that there will be a prominent entrance to them;
- (c) there needs to be flexibility of usage within the Centre, not just retail units.

RESOLVED to

- (1) grant planning permission for the reasons set out in the current report, the report to the meeting of Planning Committee on 17 June 2015 and the update sheet to that earlier report, subject to the conditions listed in the revised draft decision notice and the amended wording of the conditions listed within the current update sheet;**
- (2) rescind the resolution of this Committee made on 17 June 2015 to grant planning permission subject to the conditions listed in the draft decision notice appended to the June 2015 report, recorded at minute number 9.**

(b) Mirage Venues, Redfield Way

Rob Percival, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on an application 15/02636/PFUL3 submitted by DLA Architecture Limited on behalf of Oakgate Retail Limited and James Farhad Eftekhari-Khonssar for planning permission for the erection of six A3 units, and associated works, following the demolition of the existing nightclub building.

The application was brought to the Committee because it is a major application on a prominent site where there are important land use and design considerations.

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

During discussion the Committee considered the following issues:

- (a) The proposed development complemented the existing neighbouring uses and represented an improvement on the current situation at the site;
- (b) The site location was largely car borne with limited access by public transport, in contrast with the City Centre; whilst the application was for restaurant use it was important that the site did not become an out of town retail centre sustained by cars;
- (c) It was important that retail activity was concentrated in the City Centre and it was considered that the scale of the proposed development was adequate for restaurant use;
- (d) In the light of the above, the additional conditions restricting the use to that of restaurant and restricting the extension of units or installation of mezzanines was welcomed for the protection of A3 use. .

RESOLVED to

- (1) grant planning permission subject to the indicative conditions substantially in the form listed in the draft decision notice, and the additional conditions listed within the update sheet;**
- (2) delegate power to determine the final details of the conditions to the Head of Development Management and Regeneration.**

Councillor Rosemary Healy left the room during discussions on this item.
on this item.

(c) The Wollaton Public House And Kitchen, Lambourne Drive

Rob Percival, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on an application 15/01700/PFUL3 submitted by ID Planning on behalf of Punch Partnerships (PTL) Ltd for planning permission for the erection of a Class A1 convenience store with associated car park and other works, an outbuilding to the existing public house following demolition of an existing outbuilding, and an extension to the public house car park and associated works.

The application was brought to the Committee because it had generated significant public interest that was contrary to the officer recommendation.

During discussion the Committee considered the following issues:

- (a) that the potential for increased activity from the use of the convenience store had to be seen against the permitted use of the public house, whose opening hours the convenience store would share;
- (b) The consultation responses did not highlight noise as a particular area of concern;
- (c) Concerns from the neighbouring care home about impact from the development would be addressed by the following (i) the elevation facing the care home would have no glazing so there would be no overlooking; (ii) the development building had been moved further away from the care home since the submission of the application so the impact on amenity was reduced and was now considered acceptable;
- (d) Whilst the Committee was generally concerned about the visual impact of car parks adjacent to streets, it was satisfied from the photographs provided that the effect of the established wall and mature hedge above that the impact in this case would be minimal.

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 Development Management and Regeneration.**

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

(d) 11 Langdale Road, Nottingham

Rob Percival, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on an application 15/02493/PFUL3 submitted by Molyneux Smith Chartered Architect on behalf of Ms Neghat Khan for retrospective planning permission for the retention of a single storey extension to the rear of the property.

The application was brought to the Committee because it had been submitted on behalf of a Nottingham City Councillor.

During discussion the Committee considered the following issues:

- (a) The retrospective nature of the application would not affect the Committee's judgment as to whether the application was acceptable, and had the application been submitted in advance of the work taking place, the recommendation to approve would have been the same;
- (b) permitted development rights allow without express permission the building of an extension of (i) up to 3 metres in length without prior notification to the

Council and (ii) between 3 and 6 metres in length with prior notification to the Council, and the extension in this case is 3.9m so that what needs to be assessed is the difference between what could be built under (i) above and what has actually been built and any material effect of that difference;

- (c) the length of time taken to carry out construction could not be controlled by condition, only the timing of commencement of development;

RESOLVED to:

- (1) grant planning permission subject to the conditions 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.**