

ALL NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 21 September 2016 from 14.30 - 16.38

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Cat Arnold (Vice Chair)
(minutes 28-33 inclusive)
Councillor Graham Chapman
Councillor Azad Choudhry
Councillor Alan Clark
Councillor Josh Cook (minutes 28-36 inclusive)
Councillor Rosemary Healy
Councillor Gul Nawaz Khan
Councillor Sally Longford
Councillor Brian Parbutt
Councillor Andrew Rule
Councillor Wendy Smith
Councillor Malcolm Wood
Councillor Linda Woodings (minutes 28-34 inclusive)
Councillor Steve Young (minutes 28-36 inclusive)

Absent

Councillor Michael Edwards

Colleagues, partners and others in attendance:

Paul Seddon	- Chief Planner
Rob Martin	- Area Planning Manager
Martin Poole	- Area Planning Manager
Judith Irwin	- Senior Solicitor
Catherine Ziane-Pryor	- Governance Officer

28 APOLOGIES FOR ABSENCE

Councillor Michael Edwards – leave
Councillors Linda Woodings and Cat Arnold for needing to leave the meeting early

29 DECLARATIONS OF INTERESTS

Councillors Steve Young and Josh Cook advised the Committee that as Chair and Vice-Chair respectively of Greater Nottingham Light Rapid Transport Advisory Committee, they both had an interest in agenda item 4e (Queen's Medical Centre, Derby Road) which they each considered sufficient to prevent their participating in the debate or voting on the decision regarding the matter. They both left the Committee room during consideration of the item.

30 MINUTES

The minutes of the meeting held on 17 August 2016 were confirmed as a true record and signed by the Chair.

31 DRAFT CITY CENTRE DIGITAL MEDIA INTERIM PLANNING STATEMENT

Paul Seddon, Chief Planner, introduced the report which presented the Draft City Centre Digital Media Interim Planning Statement regarding the potential siting of large digital screens in the City Centre.

Large digital advertising screens are popular in several other major cities and providers are now showing interest in siting screens in Nottingham. To give clarity to decisions relating to siting and operation of screens, a Planning Statement is required.

It is proposed that a two-stage approach is adopted. Initially, this Planning Statement for the City Centre will be put in place, in which possible first phase sites have already been identified. The second stage will involve a statement or policy for the whole City. The Portfolio Holder for Planning and Housing has agreed for the Statement to be published and consultation, starting with the Planning Committee, to commence for a 6 week period before being presented to Executive Board to approve.

Members of the Committee welcomed the Statement.

RESOLVED for the proposed publication of the Draft City Centre Digital Media Interim Planning Statement for public consultation to be noted.

32 NOTTINGHAM CASTLE, CASTLE ROAD

Rob Percival, Area Planning Manager, introduced the report for application 16/01707/NFUL3 submitted by Purcell on behalf of Nottingham City Council for planning permission to expand and refurbish existing facilities at Nottingham Castle, including a free standing visitor centre, an extension to cover the kitchen courtyard, a glazed screen to the colonnade on the Ducal Palace and a new play area in the Castle grounds.

The application is brought to Committee because it relates to a major development on a site where there are important design and heritage considerations.

Rob Percival delivered a brief presentation which included plans, aerial and street level photographs and computer generated images (CGIs) of the current sites and how the completed elements of the application were expected to appear.

CGIs were provided of the exterior and interior of the proposed Visitor Centre. A plan indicating the extensive constraints to the siting of the Visitor Centre was also included in the presentation.

The proposed Visitor Centre site will require the removal of two large London Plane trees and although all options had been considered to allow their retention, none were found to be viable. It was noted that initially the proposal was to remove four trees but the project team had been able to amend the scheme to limit the extent of tree loss.

The contemporary appearance of the proposed Visitor's Centre ensured that it didn't visually clash with the surrounding historic buildings.

The creation of a new gallery and main point of entry is proposed by roofing the northern court yard, a space which is currently underused.

It is proposed to glaze the colonnade at the current main entrance to the Ducal Palace to protect the internal environment of the building and provide further display opportunities.

The proposed play area was added to the scheme at a late stage and so exact details are not yet available, but an indication of what this would look like was presented.

It is noted in the update sheet that the Archaeological Mitigation Strategy has now been agreed by both the City Council's Archaeologist and Historic England.

Members of the Committee commented as follows:

- (a) the City Council's ambitions for the Castle have been well advertised and are welcomed, but it is a concern that substantial 'grade A' trees will be lost to site the Visitor Centre;
- (b) the materials proposed for the Visitor Centre are a concern as although appearing attractive initially, some wooden cladding on buildings within the City has not weathered well and now appears shabby. It is vital that the materials used are of a suitably high and durable quality and with appropriate maintenance;
- (c) removal of trees is regrettable but overall the scheme is impressive and welcomed.

RESOLVED to

- (1) grant permission subject to the indicative conditions listed in the draft decision notice within the report;**
- (2) delegate the discharge of materials condition for the Visitor Centre to officers in consultation with the Chair, Vice-Chair and Opposition Spokesperson;**
- (3) delegate the power to determine the final details of the conditions to the Chief Planner.**

33 INTU, VICTORIA CENTRE

Martin Poole, Area Planning Manager, presented the report for application 15/02696/ADV2 by Nathaniel Lichfield & Partners on behalf of Intu Properties Plc to install a digital media screen above south entrance to the Victoria Shopping Centre.

The application is brought to Committee because this is an application on a prominent site where there are important design and heritage considerations.

Martin Poole delivered a brief presentation which included a map of the site and road side images of the site from different directions, both in its current state and with a CGI of the installed screen as proposed.

It is noted that normally applications like this one are determined under the advertising consent regulations and are dealt with under delegated powers. However, this particular request is being brought to Planning Committee due to its significant impact.

Comments from the Civic Society and advice from Highways Safety and Pollution Teams have been considered and a condition proposed that the screen does not include audio transmission or moving images, that the image does not change more frequently than every 10 seconds and that the brightness does not unreasonably impact on neighbouring residential properties.

When the City Centre Digital Media Planning Statement is in place, consideration of future consent requests would be guided by its contents.

It is recognised that the screen will be visible from the Old Market Square Conservation Area but it isn't within its boundary.

Members' comments included:

- (a) the current structure above the south entrance is ugly and unattractive so a digital screen would be welcomed;
- (b) safety concerns appear to have been thoroughly considered and addressed so there is no reason to refuse the application;
- (c) as long as the screen is no larger than the current surface above the entrance, the application is welcomed;
- (d) there are already accidents at the crossing to the south entrance and the installation of the screen is likely to cause further accidents so shouldn't be approved;
- (e) the City Centre area has plenty of double decker buses carrying huge advertising surfaces and a static screen will not be as much of a distraction to cause accidents as buses, it should be approved.

RESOLVED to

- (1) grant consent subject to the indicative conditions listed in the draft decision notice at the end of the report;**
- (2) delegate the power to determine the final details of the conditions to the Chief Planner.**

34 LACE MARKET SELF SERVE, LONDON ROAD

Rob Percival, Area Planning Manager, presented application 16/01352/PFUL3 by Levitate Architecture on behalf of Monk Estates for planning permission for a residential development of 85 apartments including communal facilities, basement parking and a commercial unit.

The application is brought to Committee because it relates to a major application on a prominent site, where there are important design and heritage considerations and because the application is recommended for approval but the planning obligation proposed is substantially less than required by adopted planning policies.

Rob Percival delivered a brief presentation which included plans, aerial and street level photographs and CGIs of the current site and proposed scheme. Also included was a 'fly through' film viewing the development from different approaches, angles and heights.

It is noted that comments of the Design Review Panel, the Civic Society, the Heritage and Urban Design Manager and Ward Councillor Michael Edwards are included in the Update sheet along with reference to the Heritage Strategy and a proposed amendment to condition 2.

The following points were highlighted:

- (a) the two key points to consider regarding the visual impact of the development are:
 - (i) the benefits of developing an unsightly and highly prominent site and enhancing the immediate townscape which is characterised by buildings of modest quality at best;
 - (ii) the impact of the proposed development against its very important heritage backdrop of the Lace Market Cliff and St Mary's church in particular;
- (b) the proposal consists of 3 buildings, 4, 5 and 10 stories high consisting of one and two bedroom apartments, communal areas including a central courtyard, communal rooftop garden, basement parking and a small commercial unit;
- (c) comments in support and against the proposal from neighbouring properties are summarised in the report and officers are satisfied that the impact of the development on surrounding residential properties is satisfactory;
- (d) since the initial application was submitted, amendments to the design have been made, including adding further detail to and further softening the edges of the taller building;
- (e) the design makes reference to the locality with lace patterned metal balconies and use of sandstone;
- (f) the height of the proposed development can be compared to surrounding buildings, including those on the Lace Market Cliff with CGI images presented from a variety of viewpoints ;
- (g) the developer is offering a less than policy compliant planning obligation (Section 106) based on a robust and independently verified viability appraisal.

Members of the Committee commented as follows:

- (h) this is not an easy decision and members have carefully considered the application, along with concerns and objections raised;
- (i) in light of the impact of other tall buildings in the locality, there is need for a full and careful consideration of this scheme;
- (j) the Lace Market Cliff is one of the City's most valuable heritage assets but it is also recognised that the former petrol filling station is a prominent, unsightly site that is in need of development ;
- (k) the application is for high quality and well-designed scheme but the height of the ten storey building is a concern and it would be preferable if it were a bit lower;
- (l) there is concern about the applicability and compliance with the City Centre Urban Design Guide;
- (m) there doesn't appear to be any negative impact on long views into and across the City but the proposal's greatest impact will be in medium distance views;
- (n) the comments and guidance of the experts suggest that the application should be approved;

- (o) the pavement level wall must visually blend into the design, in the CGI it appears too stark and possibly too high;
- (p) more information is needed on the height, colour, material and the type of boundary enclosure;
- (q) it is vital that the roof garden is appropriately maintained;
- (r) the lower buildings sit well within the view of the Lace Market but the height of the ten storey element and its proposed materials are a concern;
- (s) with the right design and detail, the application would be an asset to the local area, which is not the most attractive;
- (t) it has been helpful to see the different design phases of the application;
- (u) the design is sympathetic to the view of the cliff and St Mary's Church;
- (v) as an initial impression the tower should be lower but as it is situated to the eastern side of the site, it does not have a significant impact in the view of the Lace Market when entering the City Centre along London Road;
- (w) the design is welcomed;
- (x) this is not the only modern building in the immediate area but it is of a higher quality, blends in well and doesn't detract completely from the view of the Medieval Church;
- (y) the tower is too tall and too intrusive;
- (z) the metal lace detail of the balustrade and balconies is welcomed but it must be ensured that it is not prone to rust after only a few years, as has happened to other balustrades which now appear very unattractive;
- (aa) a retail unit would be wholly inappropriate in this area and for this development so should be reconsidered;
- (bb) although within the City Centre with good transport links, with 85 apartments, 34 parking spaces may not be adequate;
- (cc) the tower is too high and the objections of Nottingham Civic Society and English Heritage need to be taken careful notice of ;
- (dd) Committee members need to have an influence on the design detail, the boundary wall, the retail unit and the materials.

Rob Percival responded with the following points:

- (ee) the plinth/pavement wall is adjacent to an unpleasant road environment. A ground floor retail/commercial unit was considered but rejected as unrealistic and inappropriate in this location. The basement parking, the height of which is raised slightly above ground level, enables a successful balance to be found between the appearance and function of the development's frontage;
- (ff) the residential units are set back from the busy road edge, giving residents a garden and a defensible space. The stone wall will not be of head height but help to protect residents' privacy;
- (gg) an alternative and visually less intrusive material can be requested for the pavement wall;
- (hh) as this will be a private rental sector scheme retained in one ownership, there will be single management of the building so the roof garden and development generally would be well maintained;
- (ii) with regard to the parking provision, advice has been taken from marketing agents and 34 spaces is considered to be appropriate for the type and location of the development ;
- (jj) at ten storeys, the height of the building can be considered compliant with the City Centre Urban Design Guide.

RESOLVED

- (1) to grant permission subject to:**
 - (a) prior completion of a planning obligation which shall include an off-site contribution towards affordable housing in the sum of £100,000**
 - (b) the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report with the exception of condition 2 which is amended to:**

‘the development shall not be commenced until the details and external materials to be used in the development, including details (at a scale of 1:20) of the proposed windows (with reveal depths), doors, balconies, the plinth and site edge enclosure, overall roof design including plant/furniture and roof edges, the retail unit and general design details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details;

Reason: To ensure that the appearance of the development is satisfactory and in the interests of visual amenity to accord with Policy 10 of the Aligned Core Strategy.
 - (c) delegation of discharge of condition 2 to officers in consultation with the Chair, Vice-Chair, Opposition Spokesperson and Councillor Edwards as Ward Member;**
- (2) to delegate the power to determine the final details of the conditions and the planning obligation to the Chief Planner;**
- (3) that the majority of Councillors are 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.**

35 UNIT 2B, MILLENNIUM WAY EAST

Martin Poole, Area Planning Manager, presented application 16/00843/PFUL3 by New West Ltd on behalf of Barbae Limited for planning permission to change of use from offices to indoor climbing experience with ancillary soft play and cafe (Class D2).

The application is brought to Committee because if approved, the decision would result in a significant departure from the policies of the Development Plan.

Initially the site had been designated for E3 employment use but since construction ten years ago and despite being widely marketed, the building has remained vacant.

It is recognised that the proposed use will attract employment opportunities.

Additional information is provided in the Update Sheet.

Councillors commented as follows:

- (a) bringing the building into use is welcomed but whilst this area is primarily offices, there are no guarantees that this position will be maintained and that lorries will not be accessing the site, which causes road safety concerns with regard to the children on site;
- (b) the difficulty which has arisen in securing tenants for this reasonably new building is a lesson for future developments; the contrived means of access for this remote unit at the edge of the industrial estate, together with minimal public transport provision (other than the tram) to this part of the estate have presumably contributed to its lack of attractiveness for office use;
- (c) the property boundary borders residential properties so careful consideration should be given and an evaluation undertaken to any future change of use;
- (d) due to the buildings position, signage to the business needs to be monitored;
- (e) this is a good use of a vacant building.

Martin Poole responded to Councillors' questions as follows:

- (f) the proposal for an indoor climbing experience is ideally more suited to an accessible location in or adjacent to the city centre, or a town or local centre, but due to the characteristics of the building needed for this type of use, this position is considered appropriate. It is predicted that customers will access the site mainly by car, although public transport is also accessible from the site. As the building is in the far corner of the estate, there is unlikely to be any passing traffic, the absence of which may allay road safety concerns.

RESOLVED to

- (1) grant permission subject to the conditions listed in the draft decision notice at the end of the report;**
- (2) delegate power to the Chief Planner to determine the final details of the conditions.**

36 9, ARBORETUM STREET, NOTTINGHAM

Consideration was given to application 16/01875/PDS4 by Marsh Grochowski Architects on behalf of Girls Day School Trust, Mr Tim Turner, for approval to discharge condition 7 (management plan) of planning permission reference 12/00495/PFUL3.

The application is brought to Committee in accordance with minute 23(3) of the meeting of the Development Control Committee of 18th July 2012 which resolved that the power to approve the management plan be reserved to Committee.

The report notes that the way in which the attached management plan has been formulated has given sufficient regard to the input of the local community and as such addresses the elements which the condition required.

The annual review of the management plan is welcomed.

RESOLVED to approve the management plan within the report, to discharge condition 7 of planning permission 12/00495/PFUL3.

37 QUEENS MEDICAL CENTRE, DERBY ROAD

Prior to consideration of this application, Councillor Steve Young and Councillor Josh Cook withdrew from the meeting having declared interests within minute 29.

Rob Percival, Area Planning Manager, presented application 16/01742/PFUL3 by IDP Group on behalf of Nottingham University Hospitals for planning permission for an elevated pedestrian footbridge linking the tram stop to the Queen's Medical Centre (QMC).

The application is brought to Committee because the development relates to a prominent site with important design considerations.

The bridge is to link the QMC Tram Stop to the Hospital building.

Amendments have been made to the design since the first submission, improving the overall appearance of the walkway and its supporting structures.

Members of the Committee commented as follows:

- (a) the footbridge is overdue and very much welcomed;
- (b) vertigo suffers will struggle with the lower sections of the enclosure being transparent, but this could be resolved by tinting or obscuring the view of the ground below;
- (c) consideration must be given to elderly and infirm visitors and patients using this fairly long footbridge, by adding hand rails and possibly even seating (with arms) .

RESOLVED

- (1) for the issues raised by Councillors regarding vertigo, handrails and seating, to be drawn to the to the applicant's attention;**
- (2) to grant permission subject to the conditions listed in the draft decision notice at the end of the report, subject to condition 6 being amended to include details of CCTV;**
- (3) for the power to determine the final details of the conditions to be delegated to the Chief Planner.**