

**NOTTINGHAM CITY COUNCIL
PLANNING COMMITTEE**

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 18 April 2018 from 2.30 pm - 3.36 pm

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Cat Arnold (Vice Chair)
Councillor Cheryl Barnard
Councillor Azad Choudhry
Councillor Rosemary Healy
Councillor Sally Longford
Councillor Brian Parbutt
Councillor Andrew Rule
Councillor Wendy Smith
Councillor Malcolm Wood
Councillor Linda Woodings
Councillor Steve Young
Councillor Michael Edwards (as substitute
for Councillor Graham Chapman)

Absent

Councillor Graham Chapman
Councillor Josh Cook
Councillor Gul Nawaz Khan
Councillor Mohammed Saghir

Colleagues, partners and others in attendance:

James Ashton - Transport Strategy Manager
Richard Bines - Solicitor
Rob Percival - Area Planning Manager
Martin Poole - Area Planning Manager
Paul Seddon - Chief Planner
Nigel Turpin - Team Leader, Planning Services
Zena West - Governance Officer

68 APOLOGIES FOR ABSENCE

Councillor Graham Chapman – personal (Councillor Michael Edwards attending as substitute)

Councillor Josh Cook – work commitments

Councillor Gul Khan – personal

Councillor Mohammed Saghir – personal

69 DECLARATIONS OF INTEREST

None.

70 MINUTES

The minutes of the meeting held 21 March 2018 were agreed as a correct record and signed by the Chair.

71 MORRISONS SUPERMARKET, GREEN LANE

Rob Percival, Area Planning Manager, introduced application 17/02258/PFUL3 by Peacock and Smith Ltd. on behalf of William Morrison Supermarket PLC, for a mixed use retail (Class A1-A3 and Class A1/A3) and leisure scheme (Class D2) comprising two units adjacent to Green Lane and five units adjacent to the supermarket building. The application was brought to Planning Committee because it is a major application on a prominent site where there are important layout and design considerations. An update sheet detailed an additional representation from a local resident concerning a technical appraisal of the Applicants Acoustic Assessment and revised plans, in response to the re-consultation of local residents. The representation also highlighted an inadequate re-consultation response time.

Rob Percival gave a presentation to Councillors showing aerial views, maps with the layout of the supermarket and location of proposed building works. He highlighted the following points:

- (a) the scheme includes alterations to the existing vehicular access, enhanced pedestrian access, the formalising of an existing pedestrian through route, and a further dedicated pedestrian route through the site;
- (b) the unit closest to Morrison's supermarket would be used as their café;
- (c) this is a large and welcomed retail development, which expands and develops Clifton's centre, and reinforces it as a district centre;
- (d) issues have been raised by two local citizens, particularly regarding noise and servicing, with the proposal to use the existing roadway to the rear of the store for the five units next to the supermarket, which currently is only used for access to the staff car park. Environmental Health and Safer Places had assessed the applicant's Acoustic Assessment and concluded that they had no objection to the proposals subject to a number of conditions. However, to take account of additional representation on behalf of a neighbouring citizen detailing a technical commentary on the Acoustic Assessment, the recommendation was proposed to be amended as follows: "Subject to the Chair and Vice Chair of Planning Committee and Opposition spokesperson, in consultation with the Chief Planner, being satisfied that there are no new material issues being raised as a result of the appraisal by Environmental Health and Safer Places of the representation received on 17 April 2018 on behalf of a neighbouring resident in response to the applicant's Acoustic Assessment, and of any further representations submitted no later than 27 April 2018 regarding the same, grant planning permission..." This was outlined on the update sheet;
- (e) a condition is shown preventing the sub-division of any of the units. This is incorrect and requires amendment; the condition is in fact to prevent the amalgamation of any of the units, so as not to affect the use of the service road.

There followed a number of questions and comments from the Committee, and some additional information was provided:

- (f) a lot of local citizens will welcome additional shopping in this area, and this scheme will add to the shopping offer and help to boost the reputation of shopping in Clifton. There was some concern from Councillors regarding the aesthetic of the scheme and the quality of design. The intention is for the ground floor to be brick, with cladding above, with details of the materials to be agreed at a later date. Planning will work with the applicants to ensure that the cladding is appropriate and not too dark. It has been a challenge to design given the unusual context of a two storey development next to an existing supermarket with its own distinct style. Sensitivity surrounding the height of the proposed development lends itself to a flat roofed design for the new units;
- (g) concerns regarding the loss of parking spaces have been addressed. A parking survey was submitted, showing that the car park is well used, but can sustain a 62 space loss. There are also excellent public transport links nearby, and additional car parking spaces will be present at the new Clifton Triangle development;
- (h) the concerns from local citizens are mainly relating to noise from vehicles accessing the service road for the five units closest to the supermarket. Usually noise complaints of this nature relate to the servicing of supermarkets themselves, which in this case is in a different location. The proposed service road will only serve five small units, which conditions prevent being amalgamated into larger units, therefore changing service requirements. It is anticipated that approximately four vehicles per day will need to use the access road, which is considered a modest requirement. There will also be conditions in place restricting the hours of access and size of servicing vehicles;
- (i) the service yard area which will be behind the five units is currently part of the car park, and also open to those using this route as a pedestrian cut through. When the pedestrian route is formalised and the space converted to service yard, the area will be fenced off and secured, so there is no scope for potential anti-social behaviour to take place behind the new units;
- (j) it will not be possible to service those five units from the front, as the rest of the car park is well used. This would not be desirable for the applicants in terms of attracting tenants to the units;
- (k) as the units are within an existing site, there is no requirement to revisit the boundary treatments;
- (l) some councillors expressed concern regarding the lack of appraisal of the neighbouring resident's late submission of a technical commentary on the applicant's Acoustic Assessment and felt that all members of Planning Committee should have details of this before a decision is made. The Committee then held a vote on a revised recommendation, to defer the decision to the next meeting of Planning Committee (scheduled for 16 May 2018) in order to review the additional information and any further comments or objections.

RESOLVED to defer this item to the 16 May 2018 meeting of the Planning Committee.

72 SITE OF DENEWOOD CENTRE, DENEWOOD CRESCENT

Rob Percival, Area Planning Manager, introduced application 17/02244/NOUT by Planning and Design Group (UK) Ltd on behalf of Nottingham City Council and Nottinghamshire County Council, for outline planning permission for residential development with all matters reserved except access. The application has been brought to Planning Committee because it is a major application where there are important land use considerations and because the ordinarily required planning obligations may be waived, or substantially less than typically required by adopted planning policies. Rob Percival gave a presentation to Councillors showing aerial views and a map with an indicative street layout for the proposed development. It is an outline planning application at this stage, using the existing vehicular access from Denewood Crescent to the site, the majority of which is in County Council ownership. The policy compliant planning obligations that could be secured over the land on County Council ownership, may need to be waived or reduced. A viability appraisal submitted by the Applicant has been reviewed by the District Valuer and negotiations as to what planning obligations may reasonably be required are ongoing.

Councillors suggested that as there was a lack of bungalow housing in this area and that the eventual plans should consider including some bungalows. Colleagues responded that there will be opportunity for those discussions at a later date when a detailed scheme comes forward.

RESOLVED to:

- (1) grant planning permission subject to:**
 - (a) prior completion of an agreement under section 106 of the Town and Country Planning Act 1990 and/or section 111 of the Local Government Act 1972 to secure necessary and reasonable planning obligations relating to the development;**
 - (b) the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report;**
- (2) delegate authority to determine the content and requirements for the S106/111 agreement to the Chief Planner in consultation with the Planning Committee Chair, Vice-Chair, and opposition spokesperson, subject to the Chief Planner being satisfied that the requirements of Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 are met;**
- (3) delegate authority to determine the final details of the conditions to the Chief Planner.**

73 DARBY HOUSE, 10 THE GROVE

Martin Poole, Area Planning Manager, introduced application 18/00004/PFUL3 by Mr Richard Croasdale for a new dwelling. The application has been brought to Planning

Planning Committee - 18.04.18

Committee because it raises sensitive and finely balanced heritage issues. Martin Poole gave a presentation to Councillors showing the view of the site from Southey Street, an aerial map and view of the existing property, photos of the existing property from The Grove, and floor plans and aerial site plans for the new dwelling. He highlighted the following points:

- (a) the existing property is at the back of the site, which is within a conservation area. The proposed new dwelling is a two bedroom dwelling, sited against The Grove boundary to the property. It has been designed with a coach house architectural aesthetic when viewed from The Grove, and with a conservatory / orangery appearance when viewed from the garden of Darby House;
- (b) the new dwelling will be built into the boundary wall on The Grove. There are a limited number of windows in the roof elevation facing the garden; they are mostly confined to the ground floor;
- (c) developments within the conservation area must be done sensitively, and must preserve or enhance the character of the area. There are many conditions attached to ensure the building is of a quality suitable for the conservation area.

There followed some comments from the Committee, and some additional information was provided:

- (d) there is no parking proposed within the site, however there is parking available on The Grove – an un-made road where the resident currently parks. There is room for further vehicle parking. There are also good public transport links nearby;
- (e) whilst the design is modern, it is also sympathetic to the aesthetic of the conservation area, and not out of context. Councillors agreed that it would have minimal impact on the surrounding area;
- (f) every application is considered on its own merits. Were this application to be approved, it would not set a precedent for further developments within the conservation area;
- (g) permitted development rights on the new dwelling have been removed in the conditions. Any desire to extend the new dwelling would be subject to a further planning application.

RESOLVED to:

- (1) grant planning permission subject to the indicative conditions substantially in the form of those listed at the end of the report;**
- (2) delegate authority to determine the final details of the conditions to the Chief Planner.**