

REPORT OF DIRECTOR OF DEVELOPMENT & ENVIRONMENTAL SERVICES

**APPLICATION FOR NEW ANNUAL ENTERTAINMENTS LICENCE
Exchange Bar, Castle Bridge Road, Nottingham**

1.0 SUMMARY

- 1.1 This application is made by **Siad Nindarkin** for a new annual entertainments licence.

2.0 RECOMMENDATIONS

- 2.1 **IT IS RECOMMENDED THAT the Committee determine the application *having regard to the observations of the Chief Fire Officer and Environmental Health Officer (food);and***
- 2.2 **to an objection by Councillor Mulloy on the grounds that the premises are adjacent to a site to be developed for residential use; and**
- 2.3 **to the City Council's Entertainment Licensing Policy No.1 (adopted on 14 April 2003) ie 'Matters that might present an adverse impact on the neighbourhood from the licensed activity have been assessed and suitable measures put in place to minimise or prevent the impact'.**

3.0 BACKGROUND

- 3.1 The applicant has applied for a new annual entertainments licence for Exchange Bar which is situated adjacent to Sainsbury's Home Base, the site of which has planning approval for re-development as residential use.

4.0 PROPOSALS

- 4.1 The application is to provide music and dancing on the ground floor as follows:-
- | | | |
|-----------------------------|---|--------------------------|
| Mondays to Saturdays | - | 11 am to midnight |
| Sundays | - | noon to 10.30 pm |
- 4.2 The Environmental Health Officer (food) has no objection subject to a satisfactory final inspection.
- 4.3 The Chief Fire Officer has made recommendations and also requires a final inspection. The maximum occupancy figure advised by the Chief Fire Officer is 450 persons.
- 4.4 The Building Control Officer has no objection.
- 4.5 Councillor Mulloy (previously Ward Councillor) has objected and details are attached at Appendix 1. The comments of the Police will be reported at the meeting.
- 4.6 The comments of the Planning Applications and Advice section are attached at Appendix 2.

4.7 A map showing the location of the premises is attached. The applicant, Councillor Mulloy and a representative from the Planning Applications and Advice team have been invited to attend.

5.0 LEGAL IMPLICATIONS

Legal implications will be reported at the meeting.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

None.

7.0 List of background papers other than published works or those disclosing confidential or exempt information

- ◆ Application received 24 February 2003
- ◆ Letter of objection from Councillor Mulloy dated 12 March 2003
- ◆ Form D24 from the Chief Fire Officer dated 18 March 2003
- ◆ email from Planning Applications & Advice dated 6 May 2003

8.0 CRIME & DISORDER IMPLICATIONS

Licensing for public entertainments is an opportunity for the City Council to work in partnership with the Police to reduce the risk of crime and disorder occurring both within and immediately outside licensed premises, having regard to the effect of the proposals on both customers and residents.

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BARRY HORNE
DIRECTOR OF DEVELOPMENT & ENVIRONMENTAL SERVICES

Lawrence House, Talbot Street, Nottingham
Contact Officer: Janet Swain, Team Leader – Food & Licensing
Telephone number: 0115 9156776
Email: general.licensing@nottinghamcity.gov.uk
13 May 2003

Cllr Kevin Mulloy
Nottingham City Council
Tel: 9147741 email mulloys.ntl2@ntlworld.com Fax: 9147743

To Licensing Section
Info Cllr Akhtar

Re: Application for an Entertainments License, Exchange Bar, Castle
Bridge Road

I believe that the abovementioned license application should be
considered by the Licensing Committee because the adjacent site is, I
believe, earmarked for residential use when Homebase closes sometime
this year.

I therefore object to the application for an Entertainment License in that
the nature of the activity as well as the hours proposed will be detrimental
to the amenity of neighbouring residential properties on the former
Homebase site.

Kevin Mulloy 12 March 2003

My preferred means of communication is FAX



Fax

Development and Environmental Services

To: Councillor K Mulloy

From: LICENSING TEAM – Sue Bowler

Direct Line: 9156777

Date: 13 May 2003

Tel: 0115 9156777

Fax: 0115 9156145

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Total number of pages (including this one): ONE

if you do not receive all the pages please call the above number immediately

Fax 9156771

**Re: Application for New Annual Entertainments Licence
Exchange Bar, Castlebridge Road, Nottingham**

Further to your recent letter objecting to the above application, I have been advised by the applicant that they wish to amend the requested terminal hour on Fridays and Saturdays to midnight. This means that the requested hours now are:-

- Mondays to Saturdays - 11 am to midnight
- Sundays - noon to 10.30 pm

In view of this, do you wish to review your objection?

Please advise.

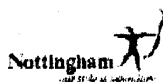
Regards

Sue Bowler

I think it should still go to committee.
KM

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Health & Safety (Enforcement),
Public Health, Road Safety &
Trading Standards for excellence



Janet Swain

From: Mike Senior [mike.senior@nottinghamcity.gov.uk]
Sent: 06 May 2003 16:48
To: janet swain (DES)
Subject: New Entertainment Licence - Exchange Bar Castle Bridge Road

Hello

Shane Neville has asked me to respond to your memorandum of 2nd May concerning the above. An outline planning application for redevelopment of Sainsburys Homebase involving the construction of 24 no 3 storey town houses and 80 no. 2 bedroom flats, car parking, landscaping and public open space was considered at the meeting of the Development Control Committee in December 2001 (ref 01/01675/POUT) when it was resolved to grant outline planning permission subject to the applicants' entering into a planning obligation under section 106 of the Planning Act to provide a contribution towards affordable housing off site. The Committee report can be viewed on the Committees online web site. The report provides full details of the issues relevant to the consideration of the application. An outline planning permission was subsequently issued in July 2002. A new detailed planning application for 72 no 2 bed flats and 30 no 3 bed houses has been received (ref 03/00236/PFUL3) but has not yet been determined. Regards Mike Senior

DEVELOPMENT CONTROL COMMITTEE

19th December 2001

REPORT OF ASSISTANT DIRECTOR OF DEVELOPMENT & ENVIRONMENTAL SERVICES (PLANNING & TRANSPORTATION)

Ward: Bridge

Application No:	01/01675/POUT for outline planning permission
Application by:	Town Planning Consultancy Ltd on behalf of Miller Homes East Midlands
Location:	Sainsburys Homebase Castle Bridge Road Nottingham NG7 1GX
Proposal:	Construction of 24 no. 3 storey town houses and 80 no. 2 bedroom flats, car parking, landscaping and public open space.

Subject to and following completion of a planning obligation under Section 106 of the Town & Country Planning Act 1990 relating to a financial contribution towards the provision of social housing off site in accordance with supplementary planning guidance.

RECOMMENDATION:

Grant outline planning permission subject to conditions relating to:-

Standard outline time condition for implementation

Details required of

- layout
- design
- materials
- levels
- landscaping
- enclosure of site & plots
- surfacing
- contamination

Layout to show

- siting
- parking layout
- open space layout
- internal roads, footpaths and illumination

Open space and landscape management and maintenance

Details of conditions to be delegated to the Assistant Director of Development & Environmental Services (Planning & Transportation)

ASSISTANT DIRECTOR'S REPORT

INTRODUCTION

This application for redevelopment of Homebase is linked to the proposed Homebase relocation to the eastern end of the Royal Ordnance factory site at the junction of Queens Drive and Castle Bridge Road, which forms part of an outline application for a business park development and is presented for consideration on this agenda. The uses and principles of development were agreed at the Environment, Planning and transportation Board in April 2001.

SITE

This site of approximately 1.7 ha. comprises the existing Homebase unit including its garden centre and associated car parking. The site is bounded by the Nottingham Canal to the north, Sainsburys foodstore and car park to the south and east, and the Pizza Hut and Exchange Diner restaurants to the west.

The site is currently accessed from Castlebridge Road between the adjoining Pizza Hut and Exchange Diner restaurants and via the Sainsbury's car park at the south-eastern edge of the site.

PROPOSAL

This is an outline application with all matters other than access reserved for later approval. Proposed access is via the existing access from Castle Bridge Road. In support of the specific description of a development comprising 80 flats and 24 houses an illustrative layout plan indicates the disposition of housing on the site. This involves an internal access road adjoining the south-eastern boundary with buffer planting adjoining the boundary with the Sainsbury's car park. This would serve three terraces of three storey family houses running north to south across the site, and two car parks serving the proposed flats. These are shown as three four-storey blocks, the westernmost block comprising 16 flats with 32 flats in each of the others. The existing amenity space adjoining the northern boundary with the canal towpath is proposed to be extended, improved and maintained.

PLANNING POLICIES

Nottingham Local Plan

Policy CD1 relates to design in its architectural and townscape context, encouraging development, which respects the scale, appearance and character of its surroundings, including small open spaces, which make a contribution to the open space network.

Policy H5 concerns housing density, in which the highest density on residential sites will be sought compatible with surrounding character and safeguarding residential amenity.

Policy H7 concerns the provision of affordable housing on windfall sites of more than 1.5 ha.

Policy R18 concerns negotiation for the improvement of river corridors as key links and spaces in the open space network.

Policy R10 concerns new residential development and the provision of open spaces

Nottingham Local Plan Review - First Deposit Draft

Policy H 1.14 identifies the site as a residential development site.

Policy R4 concerns the requirement to improve access and the provision of public open space along river and canal corridors.

CONSULTATIONS

Neighbours - Pizza Hut do not object in principle but are concerned about any impact on their business during construction work.
Dunkirk and Lenton Partnership Forum object on the grounds of concern about the height of the building so close to the waterfront.

Environment Agency - no objections in principle subject to undertaking survey and assessment of potential contaminants and carrying out proposals for remediation measures.

British Waterways - consider the principle of the proposed use for housing to be acceptable, but express some concerns about the height of the waterside blocks and their effect on the adjoining canal and the moorings.

Inland Waterways Association - no objection; welcome retention and further planting of grassed banks and vegetation between the buildings and canal, and retention of the two foot/cycle paths from the towing path to the remaining Sainsbury's supermarket and the two restaurants, but are concerned about taller buildings adjoining the canalside in terms of shading the canal path and grassed area in winter.

Notts Wildlife Trust - support redevelopment as a sustainable use of land and as an opportunity to further enhance the ecological value of the site.

CTC right to ride network - object on the grounds that sustainable and cycling provision needs to be increased, including a cycle route to the ROF site, an extra/cycle footbridge across the canal, a cycle route across the retail park, provision of a secure cycle place for each property.

Highways - refer to car parking standards of 3 spaces for every 2 flats and 2 spaces for each dwellinghouse, suggest the installation of access barriers adjacent to the limit of adopted highway, and point out that the turning-head formed by maintaining the present limits of adopted highway are insufficient for the turning of heavy goods vehicles.

Pollution Control - advise the imposition of standard conditions relating investigation of contaminants in the soil, proposals for remediation and their implementation.

Parks Services (Nature Conservation Adviser) - advises on the need for the development to take account of the surrounding habitat and ensure that any planting is in keeping with surrounding environmental features and involves native trees and shrubs, and on the need to secure long term management and maintenance responsibility of the open space bordering the canal.

MAIN ISSUES

Housing mix, density, relationship to canal and implications for design and layout of development and provision of affordable housing.

APPRAISAL

The principle of residential development is acceptable, and at the scale of development proposed would make effective re-use of existing urban land. The illustrative layout demonstrates that this scale of development can be accommodated at the site without detriment to the character of the locality or local amenity. The development also involves an appropriate mix of housing comprising 2 bedroom flats of about 700 sq. ft and 3 bedroom family houses in 3 storey terraces of about 1,000 sq.ft. floor area. It also provides the opportunity to enhance the environs of the canal frontage as a public amenity space. Provision of a contribution towards affordable housing in the locality would be consistent with relevant Local Plan policy.

The illustrative layout plan does not form part of the application and suggests only one alternative way in which a development layout might be achieved. In developing a definitive layout for a detailed approval recognition of the relationship of the development to the canal adjoining its

northern boundary in terms of its importance as a public amenity space and its visual relationship is required. Extension of the canal towpath as a planted amenity area and provision of links to the pedestrian/cycle route along the towpath are accommodated in the sketch scheme and would accord with principles relating to the role of the canal as a link in the open space network. Further consideration needs to be given to detailed layout and design issues at reserved matters stage, particularly to ensure that community safety issues are fully addressed.

The scale and mix of housing development is considered acceptable.

CORPORATE OBJECTIVES

Promotion of regeneration and effects on quality of life and support for local communities.

EQUAL OPPORTUNITIES IMPLICATIONS

None

SUSTAINABILITY IMPLICATIONS

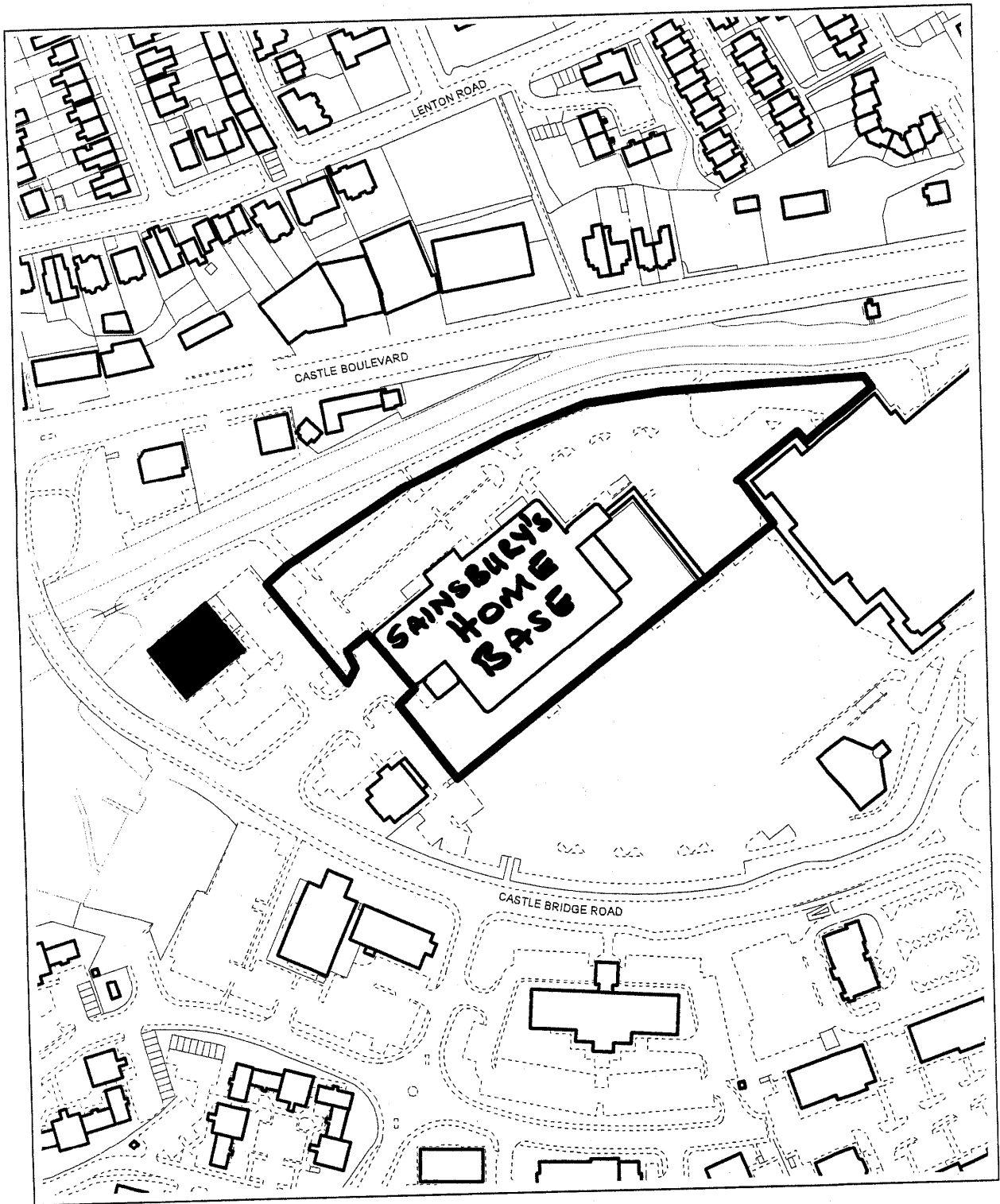
Development would result in enhancement of the canal as footpath/cycleway and public amenity space.

BACKGROUND PAPERS

1. Application ref. 01/01075/POUT
2. Environment Agency Observations, 17.09.01
3. Inland Waterways Association (ref 003607)
4. Notts Wildlife Trust (ref 003603)
5. Ctc right to ride network (ref 003759)
6. Letter from Pizza Hut, 13.09.01
7. Highway observations, 4.09.01
8. Pollution Control observations, 7.09.01
9. Highway observations, 2.10.01
10. Dunkirk and Lenton Partnership Forum, (ref 005123)

CONTACT OFFICER

Mike Senior, Team Leader, Development Control.



Exchange Bar, Castle Bridge Road

Scale : 1:2000



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Development Department