

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 18 July 2018 from 2.30 pm - 5.04 pm

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Brian Parbutt (Vice Chair)
Councillor Cheryl Barnard
Councillor Graham Chapman
Councillor Azad Choudhry (items 16-22)
Councillor Josh Cook
Councillor Michael Edwards (as substitute)
Councillor Gul Nawaz Khan
Councillor Sally Longford
Councillor Andrew Rule
Councillor Wendy Smith
Councillor Malcolm Wood
Councillor Steve Young

Absent

Councillor Rosemary Healy
Councillor Mohammed Saghir
Councillor Linda Woodings
Councillor Cate Woodward (sent substitute)

Colleagues, partners and others in attendance:

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

16 CHANGE OF MEMBERSHIP

RESOLVED to note that Councillor Cate Woodward has replaced Councillor Jackie Morris as a member of Planning Committee.

17 APOLOGIES FOR ABSENCE

Councillor Rosemary Healy – personal
Councillor Mohammed Saghir – leave
Councillor Linda Woodings – leave
Councillor Cate Woodward – personal

18 DECLARATIONS OF INTEREST

Councillors Andrew Rule and Steve Young declared an interest in agenda item 5d – site of 31 Gregory Street, as they are both members of the Trusts and Charities Committee. This interest did not preclude them from discussing, debating, or voting on the item.

Councillor Chris Gibson declared an interest in agenda item 5b – Plumb Centre, Waterway Street West. This interest did not preclude him from discussing, debating or voting on the item.

The items were heard in a different order to that shown on the agenda, in order to accommodate large numbers of citizens attending for certain items.

19 MINUTES

The minutes of the meeting held 20 June 2018 were agreed as a correct record and signed by the Chair.

20 SITE OF 31 GREGORY STREET

Councillor Sarah Piper, Ward Councillor for Dunkirk & Lenton, spoke in opposition to the application, raising the following points:

- (a) surrounding properties are red brick 2 storey houses, and with the exception of the Hospital, there are no buildings nearby which are 4 storeys;
- (b) the developers have stated that there is a lack of apartments in the area. This is not true, there are several apartment blocks nearby already;
- (c) the proposed development will not contribute to a balanced community, and will not attract families – it is very similar to the previously rejected student accommodation block proposed for the site;
- (d) money has been spent developing a green corridor, this development does not contribute to that ambition for the area, there is not enough greenery, trees, shrubs, or outdoor space for families.

Rob Percival, Area Planning Manager, introduced application 18/00700/PFUL3 by Zenith Planning and Design Alison Dudley on behalf of Mr Sajaid Mahmood for the erection of 22 two bed apartments and 1 one bed apartment. The application was brought to Planning Committee because it relates to a major development on a prominent site, and because local Ward Councillors raised objections to the proposed development, as per the update sheet.

Rob Percival gave a presentation to Councillors showing a map of the location, aerial views of the cleared site, visuals and plans of the previously rejected purpose built student accommodation scheme, and visuals and plans of the revised apartment scheme. He highlighted the following points:

- (e) Planning Committee has previously refused permission for a very similar student accommodation scheme on this site. That decision was appealed, but upheld. There was no objection to or consideration of the size, scale or design of the scheme at the appeal, the decision related to the accommodation type in relation to the local area;

- (f) the site is a prominent site on a large junction, with wide road space. A building of appropriate scale is required to fit the site, which due to its size, shape and location is not particularly suited for individual houses. The next best alternative accommodation type for the site is apartments;
- (g) there is a market locally and demand for apartments. Whilst there is nothing stopping students from renting apartments within the building, they are less likely to do so with the two bedroom configuration, and the apartments will not be marketed or targeted specifically to students.

The Committee discussed the proposal and had several questions and comments. Some additional information was also provided:

- (h) some Councillor commented on the proliferation of student accommodation across Nottingham, and the suitability of student accommodation in this particular area, but were reminded that the scheme was no longer a student accommodation block, and any decision should focus on it as presented – as an apartment block;
- (i) the size of the two bed apartments, which would only be able to accommodate a maximum of two students, is larger than a typical student accommodation block would provide and so it would be unusual for students to occupy them. Units with more bedrooms would likely attract large groups of students, and single bedroom units may also attract students, so it is felt that two bedroom units are more likely to attract single professionals, couples, small families and retired people;
- (j) the development does not contain any common rooms or spaces apart from hallways, which also makes it less likely to attract students;
- (k) the colour of the external materials indicated in the drawings is the developers choice, but final discussion regarding materials has yet to take place, and will form part of the conditions. The Committee can express a preference for red brick if they so wish;
- (l) some Councillors felt that the scale was too large, and the height was unsuitable compared to surrounding houses;
- (m) the previous appeal did not find fault with the size, scale or design of the building. As the size, scale and design of the current proposal are very similar, it would be difficult to reject the proposal on these grounds;
- (n) some Councillors disliked the curve at the front of the building, whilst others felt it was quite attractive and helped to soften the effect of the height of the building;
- (o) some Councillors felt that it was a well-designed attractive building, and that 22 apartments would lend itself well to young professionals and couples, whereas some Councillors felt the scheme would still be primarily used by students and so they would be unable to support it;

- (p) Councillors queried the inclusion of any communal spaces, such as a laundry room. Colleagues assured Councillors there would be no common areas of the type which would be present in a student accommodation block, and suggested that approval of the final floorplans be delegated to the Chief Planning Officer in consultation with the Chair and Vice Chair of Planning and a Planning opposition spokesperson, to ensure no such features are included in the final design;
- (q) a suggestion was also made to delegate approval of the primary brick and cladding colour to the Chief Planning Officer in consultation with the Chair and Vice Chair of Planning, and a Planning opposition spokesperson.

RESOLVED to:

- (1) grant planning permission subject to:**
 - (a) satisfactory resolution of the Environment Agency's objection to the scheme and subject to no material issues arising from any changes that are necessary to the scheme in this regard;**
 - (b) prior completion of a Section 106 Planning Obligation which shall include a Public Open Space financial contribution of £20,838 towards infrastructure improvements at Highfields and Priory Park;**
 - (c) the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report and any additional conditions arising from the requirements of resolution 1a;**
- (2) delegate authority to the Director of Planning and Regeneration to determine the final details of the conditions;**
- (3) delegate authority to the Director of Planning and Regeneration to determine the terms of the Planning Obligation;**
- (4) delegate authority to the Director of Planning and Regeneration , in consultation with the Chair and Vice Chair of Planning Committee, and a Planning Committee opposition spokesperson, to determine the final internal layout ensuring no communal spaces typical of student accommodation are present, and to determine approval of the primary brick and cladding colour of the building;**
- (5) note that 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;**

- (6) note that Councillors are satisfied that the section 106 obligation sought would not exceed the permissible number of obligations according to the Regulation 123 (3) Community Infrastructure Levy Regulations 2010.**

Councillor Malcolm Wood asked that his vote against the above item be recorded.

21 PLUMB CENTRE, WATERWAY STREET WEST

Rob Percival, Area Planning Manager, introduced application 18/00819/PFUL3 by RPS on behalf of Southern Grove Traffic Street Ltd for the demolition of existing building and erection of a part 5, part 6, part 10 and part 12 storey building comprising 118 student apartments along with associated access, communal space, landscaping, cycle parking and two Class A1 retail units. The application was brought to Planning Committee because it is a major application on a prominent site where there are important design considerations, and where there has been significant public interest.

Rob Percival gave a presentation to Councillors showing photos of the site from various angles, a map and aerial views of the building and neighbouring vacant land, images of the proposals in context with other developments and indicative proposals in the area, long views of the site, pictures of previous iterations of the design for this site and the current proposed design. He highlighted the following points:

- (a) the development of the entrance to the building is subject to ongoing negotiations, as Planning colleagues do not feel the design is currently strong enough;
- (b) an office development was previously approved for the neighbouring site, but the permission has now lapsed;
- (c) cycle storage facilities, communal spaces, a drop off area, and retail units will be located on the lower ground floor. The first floor contains further communal space, a central communal courtyard with greenery, and apartments. Further floors contain more apartments and green roofs where there are flat roofed elements;
- (d) the site sits within the Southside Regeneration Zone, and fits with the aspirations of that area. It is well located for tram travel, and is of a suitable scale for the large junction on which it sits and to landmark the western end of the Regeneration Zone;
- (e) there is reference within the update sheet to specific details regarding the bin storage area and recycling provision, as well as an additional condition regarding the entrance and the commercial units;
- (f) there has been some objection from residents of the Meadows regarding their views of Nottingham Castle being impeded, however a private view is not something which falls under the protection of the planning process.

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

- (g) local Ward Councillor Nicola Heaton, of the Bridge Ward, conveyed her opinions via the Committee Chair that she was concerned about the height of the building, the unacceptable impact on views of the Castle from properties in the Meadows, and that the management plan for the building would need a robust complaints procedure;
- (h) a complaints procedure, including contact details for on site management, would be included within the management plan for the building. Environmental Health's assessment suggests there will not be any issues with noise affecting neighbouring residential properties, due to the width of the intervening road and the distance to the nearest residential building;
- (i) some Councillors queried the facilities for dropping off students, the provision of cycle parking, and the viability of the location being away from the City Centre. Alternative access to the building will be available from Traffic Street, with students booking time slots for drops offs and pick-ups, as with other student properties in the City. There will be provision for 220 cycle parking spaces on the lower ground level. The location is considered suitable for student accommodation as it is only four blocks from the nearest tram stop, and the proposed retail units are a possibility rather than a certainty, and will depend upon demand for retail in the area with this and future nearby developments being progressed;
- (j) the Local Plan designated this site as potential mixed use commercial and residential accommodation. There has been a previous office scheme on the adjacent site. The Local Plan makes no mention of the suitable height of buildings. The tall tower section at the western end is intended to give a sense of scale that landmarks the vista at the end of Queens Drive and the point of arrival at the Southside Regeneration Zone / City Centre. The final design of the lower element of the tower section and main entrance are still under negotiation;
- (k) Councillor Chris Gibson moved to defer this item to the next meeting of Planning Committee, pending further design work on the tower element and the entrance. This was seconded and carried.

RESOLVED to defer this item to the next meeting of Planning Committee, to be held on Wednesday 15 August, pending further design work on the tower element and entrance to the building.

22 SITE OF 25 STATION STREET

Rob Percival, Area Planning Manager, introduced application 18/00926/PFUL3 by Lichfields on behalf of Vita Student Nottingham 1 Ltd for the erection of part 6, part 8 and part 9 (plus lower ground floor) storey student accommodation comprising 323 units, provision of ancillary coffee shop, refurbishment and use of former railway arches as space for Class A1, A3 and A5 street traders, landscaping, and improvements to the public realm. The application was brought to Planning

Committee because it relates to a major development on a prominent site where there are important design and heritage considerations.

Rob Percival gave a presentation to Councillors showing a map and aerial view, photos of the previous building to occupy the site, plans and cross-sections for the proposed development, and an artist's impression of the scheme and retail space in the arches. He highlighted the following points:

- (a) heritage considerations for this site are paramount. Late representations were received from Historic England concerning the views of St Mary's Church, however 3D modelling has shown that in the wider context there will not be a significant impact on views from Queen's Walk;
- (b) further conditions and revised recommendations concerning technical elements and the public realm works are included in the update sheet, following representation from the Canal and Rivers Trust.

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

- (c) some Councillors felt that the frontage of the building lacked sufficient decoration, was not interesting, or was not of a sufficient quality for Station Street. Some Councillors proposed that further design work on the frontage could be delegated, whilst some were inclined to vote against the proposal entirely in its current form;
- (d) some Councillors had concerns regarding the impact of the views of St Mary's Church from Queen's Walk, and felt that the 3D modelling did not represent an adequate picture of the possible impact;
- (e) There is room for 40 bin units, with adequate capacity for a large amount of waste and recycling from each resident. The proposed 80 cycle storage spaces, whilst fewer than in other student accommodation schemes, are still policy compliant;
- (f) whilst an objection has been received from the Ministry of Justice regarding overlooking of the Court building on the other side of the canal, there are not a large number of windows on their southern elevation, and no concern has been expressed from adjacent buildings.

RESOLVED to:

(1) grant planning permission, subject to:

- (a) prior completion of a section 106 obligation (and if necessary an agreement pursuant to section 111 of the Local Government Act 1972) to secure:**

- (i) a student management plan and restrictions on car use;**

The Committee adjourned for a comfort break between 16:31 and 16:37.

Martin Poole, Area Planning Manager, introduced application 18/00449/PFUL3 by Aspbury Planning Limited on behalf of Ms Rachel Warren for the demolition of existing buildings and erection of student accommodation development of varying heights, up to a maximum of eight storeys, and ancillary facilities. The application

was brought to Planning Committee because it is a major application, with Section 106 obligations, which raises important local issues.

Martin Poole gave a presentation to Councillors showing an aerial view and map and the proposed configuration and an artist's impression of the development. He highlighted the following points:

- (a) the site was formerly a furniture showroom with customer car parking and a warehouse;
- (b) the proposed design rises from four storeys to eight storeys on Freeman Street, and a single storey where the site joins residential properties on Watkins Street;
- (c) it is a brick construction, with 301 units of differing configurations, with a main entrance on Huntingdon Street;
- (d) work is ongoing with the Highways Team to plan potential Section 106 improvement works to Great Freeman Street;
- (e) Planning colleagues have worked closely with the developer to change the elevation details on the tower section and provide a break in the building to give a more discrete feel. The proposal falls within the Tall Building Zone defined in the City Centre Urban Design Guide.

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

- (f) whilst some Councillors felt that the number of student accommodation units approved recently was excessive, some felt that the policy of larger city centre student blocks had greatly alleviated housing issues within their wards and the surrounding neighbourhoods. There is continued demand for student accommodation blocks, and this particular proposal contains a range of unit configurations, including town houses;
- (g) some Councillors noted that given the height of nearby buildings such as the Victoria Centre, any objection to the height of this development would be unlikely to be upheld;
- (h) a suggestion was made to use a lighter brick to make the building less stark, and some Councillors felt that the frontage on to Freeman Street was attractive but the design of the tower section needs revisiting.

RESOLVED to:

(1) grant planning permission, subject to:

(a) prior completion of a Section 106 planning obligation to secure:

- (i) a public open space contribution of £63,459.83 towards pedestrian and environmental improvements to Great**

Freeman Street in association with the construction of the proposed development and;

- (ii) a student management plan, to include restrictions on car use;**
 - (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 final details both of the conditions and the section 106 obligation to the Chief Planner;**
- (3) delegate authority to determine the final design and treatment of the tower element and adjacent building on Huntingdon Street to the Chief Planner, in consultation with the Chair and Vice Chair of Planning Committee, and an opposition planning spokesperson;**
- (4) note 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) note that the Committee is satisfied that the planning obligation(s) sought that relate to infrastructure would not exceed the permissible number of obligations according to Regulation 123(3) of the Community Infrastructure Levy Regulations 2010.**

Councillor Malcolm Wood asked that his vote against the above item be recorded.