

Nottingham City Council

Planning Committee

Minutes of the meeting held remotely via Zoom and livestreamed on the Council's YouTube Channel - <https://www.youtube.com/user/NottCityCouncil> on 23 September 2020 from 2.35 pm - 5.20 pm

Membership

Present

Councillor Leslie Ayoola (items 22-27)
Councillor Graham Chapman (Vice Chair) (items 22-27)
Councillor Kevin Clarke
Councillor Michael Edwards (Chair)
Councillor Maria Joannou
Councillor Gul Nawaz Khan (items 22-27)
Councillor Pavlos Kotsonis
Councillor Sally Longford
Councillor AJ Matsiko
Councillor Toby Neal (items 22-26)
Councillor Lauren O`Grady
Councillor Ethan Radford (items 22-27)
Councillor Mohammed Saghir (items 22-25)
Councillor Wendy Smith (items 22-26)

Absent

Councillor Cate Woodward
Councillor Audra Wynter

Colleagues, partners and others in attendance:

Lisa Guest - Principal Officer Highway Development Management
Councillor Dave Liversidge - Ward Councillor for St Anns (item 26)
Martin Poole - Area Planning Manager
Paul Seddon - Director of Planning and Regeneration
Judith Urwin - Solicitor
Councillor Linda Woodings - Ward Councillor for Basford (item 27)
Jane Garrard - Senior Governance Officer

22 Apologies for Absence

Councillor Cate Woodward – Leave
Councillor Audra Wynter – Other Council business

23 Declarations of Interest

Councillor Ethan Radford declared an Other Interest in agenda item 4d Basford United Football Club, Greenwich Avenue, Nottingham NG6 0LE (minute reference:

25d) because his grandmother and godmother live on Greenwich Avenue. He left the meeting prior to discussion and voting on this item.

24 Minutes

The Committee confirmed the minutes of the meeting held on 19 August 2020 as an correct record and they were signed by the Chair.

25 Island Business Centre City Link Nottingham

Martin Poole, Area Planning Manager, introduced application number 20/01527/PFUL3 for planning permission and application number 20/01528/LLIS1 for listed building consent both in relation to phase 1A of the Island Quarter and submitted by AXIS David Jones on behalf of Conygar Nottingham Ltd (ref Mr Chris Ware).

Application number 20/01527/PFUL3 proposes mixed-used commercial development comprising enabling works (demolition and earthworks), retail (classes A3/A4/A5), assembly and leisure (class D2) uses, access modifications, utility infrastructure and drainage, new areas of public realm/ landscaping and alteration to the listed Turnover Bridge.

Application number 20/01528/LLIS1 proposes alterations to the listed Turnover Bridge, in association with mixed-use commercial development comprising enabling works (demolition and earthworks), retail (classes A3/A4/A5), assembly and leisure (class D2) uses, access modifications, utility infrastructure and drainage, new areas of public realm/ landscaping.

The applications were brought to the Committee because they are for a prominent site with important design and heritage considerations.

To meet the Council performance targets these applications should be determined by 3 December 2020 and 29 October 2020 respectively.

Additional information, amendments and changes to the item since the publication of the agenda was included in an update sheet appended to the agenda, including confirmation that the value of the employment and skills financial contribution has been finalised as £39,972.

The following points were discussed:

- a) The application is for an area on the western part of the Island site. The grant of outline planning permission for the whole site had previously been approved by the Committee. The applicant has a long term interest in successful development and management of the entire site.
- b) The application is for development of a three storey 'pavilion' building which will include a restaurant and bar, and a single storey bandstand building within an area of public open space to be used for events and entertainment, creating a vibrant public community space. Provision is included in the application for a

step free accessible route from the site entrance down to an extended canal towpath for pedestrian and cycle use.

- c) The proposals reflect the constraints of a public sewer running through the site.
- d) The main building will be red brick with pre-patterned metal panelling.
- e) The proposals include a slight remodelling of the steps from the Turnover Bridge. The applicant has stated that they would prefer a stone finish but are prepared to consider alternatives. Differing views were expressed by Committee members regarding a stone or blue brick finish and it was acknowledged that it needs to fit within the overall materials mix for the site. There was general support expressed for materials to be used that reflect the heritage and historical features of the bridge and wider location, such as proximity to the railway station. It was suggested that there could be a continuation of the railings on the bridge onto the steps.
- f) Some Committee members expressed concern that the remodelled steps lose the current facility for pushing bicycles down the steps. It was noted that consultation had taken place, including with Pedals and the application is for cycle access through the site rather than down the steps.
- g) A formal response has not yet been received from Environmental Health regarding the potential for concerns about noise.
- h) Final confirmation that the Environment Agency is satisfied with the application and the applicant's flood risk assessment is still awaited, and the grant of planning permission would be subject to receipt of that. It is understood that the Environment Agency are seeking clarification regarding some detailed technical matters.
- i) A substantial financial contribution towards highways improvements is proposed. This reflects the applicant's interest in ensuring good accessibility for the entire Island site and Committee members welcomed this level of investment.
- j) A Committee member raised concerns about the level of financial investment for employment and skills, suggesting that the level was too low. It was confirmed that although sitting within a larger masterplan for the whole site, this is a standalone application and financial contributions can only be based on this specific element, and that the application meets all of the Section 106 requirements, there is no viability challenge and there is no further policy ask that could be made of the development.
- k) Committee members felt that it was an exciting scheme and supported the development of more open public space. There was general support for the quality of the architectural design.
- l) Committee members welcomed the sustainability aspects of the scheme, including linking to the district heating scheme, use of rainwater harvesting and greening of the canal side. It was suggested that there should be a detailed

planting plan approved by the Council's Biodiversity Team to ensure that the planting supports commitments to creating a bee-friendly city.

The Committee requested that a copy of the masterplan and outline planning permission for the whole Island site is provided to all Committee members.

Resolved to:

- 1) grant planning permission and listed building consent for the reasons set out in the report, subject to:**
 - i. no material matters arising as a consequence of the revised Certificate of Ownership submitted with application**
 - ii. the further response of the Environment Agency confirming that the objection to the applicant's Flood Risk Assessment has been overcome**
 - iii. the indicative conditions substantially in the form of those listed in the draft decision notices at the end of the report, with the materials condition amended to include submission of full details of the design and materials for all changes to the Turnover Bridge, its steps and retaining wall and railings for approval**
 - iv. prior completion of a Section 106 planning obligation to secure:**
 - a) a financial contribution towards highways improvements in the total sum of £1,050,000**
 - b) local employment and training benefits including opportunities in the construction and operation phases of development together with payment of a financial contribution towards employment and training totalling £39,972**
- 2) delegate authority to the Director of Planning and Regeneration to determine the final details of both the terms of the planning obligation and the conditions of planning permission and listed building consent;**
- 3) that the Committee is satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligations sought are (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.**

26 IQ Nottingham 143 Lower Parliament Street Nottingham

Councillor Dave Liversidge spoke on this item as a ward councillor. He raised the following points on behalf of the local Residents Association and Sneinton Market Action Group:

- a) There are already too many students living in the area, with 362 students in the market area alone, and this application will increase that number and further unbalance the community. Students don't have a sense of community and can drive out local businesses who can't deal with the changes in demand as a consequence of the academic calendar. The application contravenes policy H06

of the 2020 Local Plan and High Quality Objective 2 and Regeneration Objective 5 of the 2014 Core Strategy.

- b) The application will negatively impact on the local market heritage. The application is directly adjacent to the Conservation Area and will greatly affect the character of the area. The existing wavy roofline on Gedling Street and Boston Street is a distinctive local landmark and part of the character of the Conservation Area. The proposal will not preserve the connection with the past.
- c) The application is bad for local businesses – three local businesses will be lost as a result of the proposal. Owners of businesses already operating from the building have not been consulted and the new retail space will not be able to house their businesses. The impact on the local businesses contravenes Objectives 3, 4 and 5 of the 2014 Core Strategy and the policies DE1b and DE1d and RE3 of the 2020 Local Plan.
- d) There has been no community consultation with the local residents, businesses and stakeholders in the drafting of the scheme and there are widespread objections amongst the local community. This contradicts Objective 7 of the 2014 Core Strategy and the application should be refused to enable dialogue around development in the area to take place.

Councillor Liversidge left the meeting.

Martin Poole, Area Planning Manager, introduced application number 20/01095/PFUL3 for planning permission for the partial demolition and new extensions onto Gedling Street, Boston Street and to oval element onto Lower Parliament Street to provide additional purpose built student accommodation, amenity spaces and flexible retail units (Use Classes A1/ A3// A4/ D2).

The application was brought to the Committee because it is a major application for a prominent site with important design and heritage considerations, and it has generated significant public interest that is contrary to the officer recommendation.

To meet the Council's performance targets this application should be determined by 27 October 2020.

Additional information, amendments and changes to the item since the publication of the agenda was included in an update sheet appended to the agenda, including information relating to the size of the proposed student bedrooms and retail floor space.

The following points were discussed:

- e) The application relates to an existing building comprising student accommodation and retail space, and includes two elements. Firstly, the creation of two storeys of additional student accommodation; and secondly the remodelling of the existing ground floor for commercial retail space and student facilities. There will be a net gain of 85 student bedrooms. Officers have requested the exact figures of the commercial ground space but this has not been provided. It is estimated

that there will be a reduction from 1140m² to 615m². The frontage onto Gedling Street will be retained as commercial use.

- f) The site is outside the Conservation Area but the proposed development is important to its setting.
- g) Concerns have been raised in relation to existing businesses. The application recognises that existing tenants do have unexpired leases of 7 years and as such they have received formal notification of the application. However, their status is a commercial matter between the parties and cannot be a planning consideration. It is understood that the type of retail space being created is that likely to be attractive to independent operators. The site is important as an independent retail cluster in the Local Plan and officers consider that the application complies with those policies.
- h) Some Committee members raised concerns about the proposed brick colour and quality of materials for the wavy roof, noting that the building will affect the look and feel of the local area, including sites that are important in terms of the City's heritage. It was confirmed that the images are illustrative and the brick colour will be dealt with through detailed planning conditions to ensure that materials are good quality and relate well to the local context and that the concerns of Committee members are addressed.
- i) While local concerns about the density of student populations are understandable, the policy encourages purpose-built student accommodation developments in the centre of the City, and as demand currently outstrips supply the application to create a limited number of additional student bedrooms in an existing building in the context of the mixed developments coming through in the area is unlikely to unbalance the local community. The application is in line with policies relating to student accommodation.
- j) It is in the developer's interest to provide a range of accommodation that will be attractive to students throughout their time at university. The application is for a range of accommodation.
- k) Some Committee members raised concerns about the impact on parking and traffic. The application is confined to the existing site footprint and the proposed section 106 planning obligation including a student management plan will restrict students' ability to keep private vehicles, and therefore officers do not consider that there will be a significant impact. The student management plan is a standard approach to ensuring that the accommodation is managed properly and generally this approach works.
- l) Some Committee members raised concerns about the apparent lack of local consultation. It was confirmed that 211 individual letters had been sent to residents and businesses, with on-site notification in accordance with the usual arrangements for giving notice of an application. The substantial level of responses received suggests that local people are aware of the application and had opportunity to comment.

- m) The requirements for a contribution for local employment and training are being met in full and requirements for off-site open space are based on the additional number of bedrooms generated by this development and will follow Council policy.

Resolved

- 1) to grant planning permission for the reasons set out in the report, subject to:**
 - i. the indicative conditions substantially in the form of those listed in the draft decision notice at the end of this report;**
 - ii. prior to completion of an agreement to secure a section 106 planning obligation to secure the following:**
 - a. an off-site open space contribution of £81,345**
 - b. local employment and training benefits including opportunities in the construction and operational phases of development together with payment of a financial contribution towards employment and training**
 - c. a student management plan and restrictions on keeping private vehicles**
- 2) delegate authority to the Director of Planning and Regeneration to determine the final details of both the terms of the planning obligation and the conditions of planning permission; and**
- 3) that the Committee is satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that planning obligations sought are (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.**

27 High School Sports Ground Hucknall Road Nottingham NG5 1NX

Councillor Linda Woodings spoke on this item as a ward councillor. She raised the following points:

- a) This is the second time that Nottingham High School has submitted proposals for the sports field without consultation or consideration for neighbouring residents.
- b) Tring Vale is a quiet, narrow road that is little used apart from by residents living there and the adjacent area of the sports field has not previously been used for intensive sporting activity. The distance from the site of the application to the border with neighbouring land is only 9m and residents are concerned about the impact of noise from the proposed netball courts on their lives.
- c) Comparisons have been made with cricket being played, but that is a quieter and seasonal game and therefore not comparable.
- d) Residents are concerned about the hours that the courts will be used for. There are no proposals for permanent floodlights so this will lessen use in the winter but the High School has previously stated that it believes it can use temporary

floodlights without permission being required. Therefore, if the Committee does grant planning permission, it is asked to consider restricting the hours and/or days of use.

- e) It is anticipated that the courts will create additional traffic and parking from visiting teams and their parents. Coaches are unable to enter the grounds and already have to park in unsuitable locations, and the creation of additional sporting facilities is likely to make this problem worse.

Councillor Woodings left the meeting.

Martin Poole, Area Planning Manager, introduced application number 20/01279/PFUL3 for planning permission for the construction of three permeable asphalt netball courts including a fence enclosure by Gaskell Building Surveyor on behalf of Nottingham High School.

The application was brought to the Committee because it had generated significant public interest that was contrary to the officer recommendation, and at the request of a ward councillor.

To meet the Council's performance targets this application should have been determined by 1 September 2020.

Additional information, amendments and changes to the item since the publication of the agenda was included in an update sheet appended to the agenda.

The following points were discussed:

- f) The lawful use of the field is for sports and the disposition of sports on the playing field is at the discretion of the school.
- g) The proposal is for the installation of three netball courts in a location relatively close to residential properties. The figures for distances to neighbouring properties contained in the report refer to the distances from the perimeter of the netball court to the houses themselves rather than to the boundary of the properties. Houses are the relevant point for disturbance and this is an important distinction. Some councillors raised concern that the site was so close to residential properties when it could have been located elsewhere on the sports field.
- h) The site is within a flood zone area but there is not considered to be significant flood risk. It is positive that the proposed surface is permeable.
- i) Comments have been received from Sports England objecting to the application unless the school enters into a community use agreement for the cricket field. The school does currently allow some limited use but Sports England commented that it would be appropriate to formalise use. However, it is officers' opinion that requiring a formalisation of community use goes beyond what is reasonable for this proposal in terms of a planning condition.

- j) The application does not make reference to flood lights and officers view this as restricting use to the daytime and therefore there would be limited disturbance at night. There are currently no limitations on the hours of use anywhere else on the field and there is the potential for portable flood lights to be used elsewhere. The comments received from the Environmental Health Team do not suggest that there is a need for additional restrictions on use. However, Committee members raised concern that although the lack of flood lights would restrict use to daytime in autumn and winter, there would be sufficient natural light to play until quite late into the evening in summer months and therefore supported residents' and the Ward Councillor's request to restrict the hours of use through planning conditions.

Resolved to

- 1) grant planning permission for the reasons set out in the report, subject to the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report, including an additional condition restricting the hours of use of the site to no later than 20:30 hours BST to protect the amenity of local surrounding residents; and**
- 2) delegate authority to the Director of Planning and Regeneration to determine the final details of the conditions.**

The meeting was adjourned at 5pm and reconvened at 5:05pm.

28 Basford United Football Club Greenwich Avenue Nottingham NG6 0LE

Councillor Ethan Radford declared an Other Interest in this item because his grandmother and godmother live on Greenwich Avenue. He left the meeting prior to discussion and voting on this item.

Martin Poole, Area Planning Manager, introduced application 20/01277/PFUL3 for planning permission for a single storey extension to Basford United Football Club clubhouse by MDA Mr Dave Smith on behalf of Mr Chris Munroe.

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

To meet the Council's performance targets the application should have been determined by 24 August 2020.

Additional information, amendments and changes to the item since the publication of the agenda was included in an update sheet appended to the agenda, including correspondence from the applicant to local residents and additional conditions proposed by the Council's Highways Team.

The following points were discussed:

- a) The application is for the construction of a flat-roofed brick extension to the existing clubhouse. The extension would result in the loss of five car parking

spaces, with 14 new spaces proposed to the north-east of the car park on a grassed area adjacent to a secondary football pitch.

- b) There have been a number of representations received about the application. The club is successful and attracts significant crowds to watch games on match days. Concerns have been raised about the impact on parking, arrangements for car park management and the potential for anti-social behaviour arising from activities in the clubhouse itself.
- c) The Highways Team has proposed some additional conditions including adding three electric vehicle charging points and requiring a car parking management plan to be put in place to ensure proper management of the car park and to promote sustainable transport measures.

Resolved to:

- 1) grant planning permission for the reasons set out in the report, subject to the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report and additional conditions to cover car parking management, cycle parking, electric vehicle charging points and travel planning; and**
- 2) delegate authority to the Director of Planning and Regeneration to determine the final details of the conditions.**

29 Planning White Paper

This item was deferred to a future meeting.