

Nottingham City Council

Planning Committee

Minutes of the meeting held at The Council House, Old Market Square, Nottingham on 21 July 2021 from 2.35 pm - 3.48 pm

Membership

Present

Councillor Michael Edwards (Chair)
Councillor Graham Chapman (Vice Chair)
Councillor Maria Joannou
Councillor Angela Kandola
Councillor Pavlos Kotsonis
Councillor Toby Neal
Councillor Ethan Radford
Councillor Wendy Smith

Absent

Councillor Leslie Ayoola
Councillor Kevin Clarke
Councillor Gul Nawaz Khan
Councillor Sally Longford
Councillor AJ Matsiko
Councillor Mohammed Saghir
Councillor Cate Woodward

Colleagues, partners and others in attendance:

Ann Barrett	- Team Leader, Legal Services
Lisa Guest	- Principal Officer, Highway Development Management
Martin Poole	- Area Planning Manager
Paul Seddon	- Director of Planning and Regeneration
Nigel Turpin	- Team Leader, Planning Services
Phil Wye	- Governance Officer

13 Apologies for Absence

Councillor Leslie Ayoola – personal reasons
Councillor Kevin Clarke – personal reasons
Councillor Gul Nawaz Khan – personal reasons
Councillor Sally Longford – personal reasons
Councillor AJ Matsiko – other Council business
Councillor Mohammed Saghir – personal reasons
Councillor Cate Woodward - leave

14 Declarations of Interests

None.

15 Minutes

The Committee confirmed the minutes of the meeting held on 23 June 2021 as a correct record and they were signed by the Chair.

16 The Nottingham Legend Lower Parliament Street Nottingham NG1 1GD

Martin Poole, Area Planning Manager, introduced application number

21/00192/PFUL3 for planning permission by Jake Russell on behalf of Punch Pubs & Co for a Five storey building comprising student studio accommodation (Sui Generis) following demolition of existing public house, with associated external works.

The application was brought to Committee because it is major application for a prominent site and where a significant number of citizen responses have been received.

A list of additional information, amendments and changes to the report since the publication of the agenda was included in an update sheet circulated to the Committee.

The Ward Councillors for the Castle Ward had both indicated their desire to speak about their concerns to the Committee but were unfortunately unable to attend the meeting due to other commitments.

The Committee was made aware that a complaint had been lodged by CAMRA, regarding the manner in which the Committee report had been prepared, on the morning of the Committee meeting. This had been circulated to Committee members.

The Director of Planning and Regeneration advised the Committee that he had reviewed the complaint and did not identify any risk with proceeding to a decision as all procedures had been followed in the normal way. The information had been submitted as a complaint rather than an addition to the objection which CAMRA had already submitted and whilst it referred to a risk of challenge such risks were inherent with all decisions the Committee made. The Director was satisfied that the report was thorough and addressed all relevant considerations. The legal advisor advised that deferral was an option however given the Director of Planning's assurances regarding the report the Committee may wish to proceed. Many of the areas of complaint related to alleged non-compliance with the NPPF but the report addressed the relevant policies of the up to date Local Plan which itself had been found to be in compliance with the NPPF and National Policy. The time period for lodging any legal challenge would run from the date of the grant of any planning permission and as a s106 Agreement was required in this case the planning permission would not be issued immediately, only when the s106 Agreement had been completed. If any new material considerations or changes of circumstance arose in the interim then the application would need to be brought back to Committee in any event. Committee Members confirmed that they were content to proceed with the item on the basis of the advice given.

The following points were discussed:

- (a) the application site is located on the west side of Lower Parliament Street to the south of the National Ice Centre/Motorpoint Arena and to the north of Carter Gate, which is a low rise residential development of flats and houses. There is an external public staircase to the north between the public house and the Ice Centre. Opposite across Lower Parliament Street are the Nottingham City Transport and Barton bus depots;
- (b) The current premises on the site is a two storey flat roofed building that is in use as a public house. It has external raised beer garden areas to the rear and a

servicing access to the side. The site is located within the LAPP defined City Centre and City Centre Caves areas and there are recorded caves below Carter Gate;

- (c) the application proposal is for the redevelopment of the site for a purpose-built student studio accommodation and associated amenity areas over 5 storeys. A total of 40 studio bedrooms would be provided within the development with a main entrance on Lower Parliament Street. Previous designs indicated a rooftop terrace but this has been removed;
- (d) a total of 52 objection responses have been received opposing the proposed development due to the loss of the public house, the site use as student accommodation and poor design;
- (e) LAPP Policy LS4 refers specifically to the potential loss of public houses outside of the city Centre or public houses that have been designated as Assets of Community Value. This public house is within the designated city centre but has not been designated as an Asset of Community Value so this policy does not apply to this case;
- (f) monitoring reports on the provision of student accommodation have consistently illustrated the need for a need to maintain an ongoing supply of additional student bed-spaces in order to meet the increases in the number of students attending further and higher education courses within the city. Policy HO5 of the LAPP acknowledges that purpose built student accommodation of an appropriate scale and design will be encouraged within the city centre. There is not yet evidence of purpose built student accommodation freeing up family homes but this is because supply is not keeping up with demand;
- (g) the neighbouring properties on Carter Gate form a substantially inward-facing development with its primary elevations facing away from the proposed new development. The elevation overlooking these properties has only corridor windows on an otherwise blank elevation. The position of the property to the north of Carter Gate would also preclude any overshadowing;
- (h) whilst the potential for antisocial behaviour will always exist in student developments, a student management plan as a requirement of the S106 agreement will include a commitment for an operator to work proactively with the local community, including 24 hour contact details and community liaison;
- (i) The city archaeologist has assessed the site and a programme of archaeological works prior to work commencing has been included as a condition of the development, as it lies within the pre-Norman Conquest burh and later medieval town, and there is a high potential for caves within the boundary;
- (j) Committee members found the design of the building is rather bland and blocky, but were advised that it had been substantially revised from previous designs, with the addition of a mansard roof to the top storey and improved brick detailing. Consideration could potentially be given to extending the mansard roof to the side of the development that faces Carter Gate;

- (k) The development will include one disabled parking space, but otherwise restrictions on students keeping private vehicles within the city will be imposed via the s106 Agreement, as will a management plan for drop-offs and pick-ups at the beginning and end of term.

Resolved to

(1) grant planning permission subject to:

- (i) **the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report together with an additional condition that:**

“Prior to the first occupation of the approved development, verification that the energy and sustainable measures included within the updated Energy and Sustainability Statement by SRE Rev D, 17.05.21, supplemented by the further Energy Strategy letter by SRE dated 07.07.21 and the revised Proposed Roof and Site Plan drawing 10.00 Rev B, have been implemented and are fully operational shall be submitted to and approved in writing by the Local Planning Authority”;

- (ii) **prior completion of a Section 106 planning obligation to secure the following:**

- (a) an off-site Open Space contribution of £41,223;**

- (b) local employment and training benefits including opportunities in the construction phase of development together with payment of a financial contribution of £6,968 towards employment and training;**

- (c) a student management plan and restrictions on keeping private vehicles;**

- (2) power to determine the final details of both the terms of the Planning Obligation and the conditions of planning permission be delegated to the Director for Planning and Regeneration, particularly to achieve a satisfactory improvement to the entrance design and detail, south elevation and the roof;**

- (3) the Committee were 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.**