

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 19 April 2017 from 2.30 pm - 3.40 pm

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Cat Arnold (Vice Chair)
Councillor Graham Chapman
Councillor Azad Choudhry
Councillor Michael Edwards
Councillor Rosemary Healy
Councillor Sally Longford
Councillor Brian Parbutt
Councillor Josh Cook

Absent

Councillor Alan Clark
Councillor Gul Nawaz Khan
Councillor Wendy Smith
Councillor Malcolm Wood
Councillor Linda Woodings
Councillor Steve Young
Councillor Andrew Rule

Councillor Georgina Culley (Substitute for Councillor Andrew Rule)

Colleagues, partners and others in attendance:

Tamazin Wilson	- Solicitor
Paul Seddon	- Chief Planner
Rob Percival	- Area Planning Manager
Nigel Turpin	- Heritage and Urban Design manager
Sarah Hancock	- Technical Officer Development Control - Highways
Catherine Ziane-Pryor	- Governance Officer

80 APOLOGIES FOR ABSENCE

Councillor Malcolm Wood	- Other Council Business
Councillor Alan Clark)
Councillor Gul Khan)
Councillor Andrew Rule) Personal
Councillor Wendy Smith)
Councillor Steve Young)
Councillor Linda Woodings)

81 DECLARATIONS OF INTERESTS

None.

82 MINUTES

The minutes of the meeting held on 22 March 2017 were confirmed as a true record and signed by the Chair.

83 LAND AT SITE OF FOREST MILL, RADFORD ROAD

Rob Percival, Area Planning Manager, introduced application 16/02524/POUT by Landmark Planning Ltd on behalf of Maryland Securities Ltd Forest investments Ltd for full planning permission for the erection of an 8 storey building comprising 81 residential units and 7 commercial premises, and outline planning permission for up to 229 residential units.

The application is brought to Committee because it is a major application on a prominent site where there are important land use, design and heritage considerations. Also, officers may recommend that policy compliant S106 contributions be waived or reduced on the grounds of viability, depending on the awaited conclusions of the District Valuer.

Rob Percival delivered a brief presentation which included photographs and plans of the current site, plans and computer generated images (CGIs) of the proposed development, the details of which are included within the report.

The indicative conditions are included in the Additional/To Follow Agenda Items supplement to the original agenda.

It is noted that the Section 106 planning obligation contributions are yet to be agreed and that further information is included within the Committee Update Sheet.

Councillors' comments included:

- (a) this development of a long term vacant and derelict site on a major route into and out of the City is very much welcomed;
- (b) it's disappointing that there's a lack of decoration in the design. Viable means need to be found to include detail features on new buildings;
- (c) with regard to the shop fronts, it's not clear from the CGIs how deep the recessed space would be. There would need to be a management agreement in place as in other parts of the City such recesses have attracted anti-social behaviour, as have passage ways;
- (d) recessed frontages behind brick pillars may obscure the external view of the shop windows, reduce daylight resulting in a dark and gloomy area, making the shops less attractive to customers and potential tenants;
- (e) the recess of the ground floor residential units raises similar concerns for daylight and management issues;
- (f) this site has been a significant eyesore for a substantial time so this development, which will benefit the whole area, is welcomed;
- (g) the design provides a positive front elevation but further detail is required regarding the lighting and security of the passageway and open public areas to the rear of the building, particularly prior to the construction on the remainder of the site;
- (h) as too many fast food outlets in one area can be a blight, consideration should be given to such restrictions in the development;

- (i) the shop frontages need to be as flush to the front elevation as possible and aligned with the main entrance;
- (j) this area of Alfreton Road has been unattractive for a long time but this application has taken a lot of energy and focus to ensure the site is developed. The work of the Developers and Planning Team to get the application to this stage is appreciated and acknowledged;
- (k) as there are still vacant shops on Alfreton Road, it may be hard to let these new shop units unless they are designed to be flexible, enabling units to merge so use isn't limited;
- (l) if possible, the speedy demolition of the remaining derelict building would be welcomed.

Councillors' questions were responded to as follows:

- (m) the recessed shop frontages can be reconsidered, including a need to provide an appropriate space for signage;
- (n) the developer is keen to include the passage/walk way and following officers previous concerns, the height has been doubled to provide a sense of space and openness. However, lighting is an important feature which needs to be appropriate and additional conditions regarding external lighting and details of the shop fronts are therefore proposed;
- (o) Thackery Street will be absorbed into the development but be replaced with a public through route on a similar alignment, from Boden Street to Highurst Street;
- (p) the seven commercial properties are of a modest size and similar in scale to those on Alfreton Road. Use is restricted to Class 'A' which includes retail, cafés, and hot food takeaways. It may be possible in future to merge units if larger spaces were in demand;
- (q) a condition to restrict the number of A3 Class (restaurant) use units in the development is already included.

It is noted that as Councillor Cully arrived during the item, she was eligible to speak and ask questions but was not eligible to vote on the application.

Councillor Azad Choudhry abstained from voting due to the lack of parking provision.

RESOLVED

- (1) to grant full and outline planning permission subject to:**
 - a) prior completion of a planning obligation, the power to determine the final details of the obligation are delegated to the Chief Planner in consultation with the Committee Chair, Vice-Chair and Opposition Spokesperson, which shall include:**

- (i) an off-site financial contribution towards public open space;**
- (ii) a financial contribution towards education;**
- (iii) on-site provision of affordable housing**

Subject to the conclusions of the District Valuer's independent assessment of the developer's viability appraisal as to whether the whole or part of the policy compliant section 106 contributions should be required;

- b) the indicative conditions substantially in the form of those which are included in the Additional/To Follow Agenda Items and within the Committee Update Sheet, to include:**
 - (i) design detailing, including details of the shop fronts to avoid an excessive set back, shall be submitted to and approved in writing by the Local Planning Authority;**
 - (ii) details of external lighting, including of the 'cut through' passageway, the areas of public realm and the individual entrances to the ground floor units, shall be submitted to and approved in writing by the Local Planning Authority;**
 - (c) the power to determine the final details of the conditions to be delegated to the Chief Planner, and with regard to the design of the shop fronts shall be in consultation with Chair, Vice-Chair, and Opposition Spokesperson,**
- (2) 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,**
- (3) that Councillors are satisfied that the section 106 obligation(s) sought that relate to infrastructure would not exceed the permissible number of obligations according to Regulation 123 (3) Community Infrastructure Levy Regulations 2010.**

84 RADFORD MILL SOUTHERN BUILDING, NORTON STREET

Rob Percival, Area Planning Manager, introduced application 16/02301/PFUL3 by Franklin Ellis Architects on behalf of Mabec Property for planning permission for demolition and part demolition of existing buildings, conversion to residential and new build residential to create 310 residential units and ground floor retail units.

The application is brought to Committee because this is a major application on a prominent site where there are important land use, design and heritage considerations. Also, officers may recommend that policy compliant S106 contributions be waived or reduced on the grounds of viability, depending on the awaited conclusions of the District Valuer.

Rob Percival delivered a brief presentation which included photographs and plans of the current site, plans and computer generated images (CGIs) of the proposed development, including design and detail amendments in response to Councillor, Planning Team and Civic Society comments.

The indicative conditions are included in the Additional/To Follow Agenda Items supplement to the original agenda.

The Committee Update Sheet provides new and additional information, including references to design changes, amendments to the scheme and details of the policy compliant S106 contributions for the amended scheme.

Councillors commented as follows:

- (a) this development is enthusiastically welcomed as a significant improvement to the area but also for the sensitive treatment of a historic building, particularly by ensuring that the tower is still clearly visible and remains a prominent feature of the site by amendments made to the new build element to the Ilkeston Road frontage;
- (b) the variety of accommodation is welcomed, as is the retention of the structural metal work within the light well, which will make it an interesting and attractive feature;
- (c) since Councillors initially saw the original proposal (prior to application) some very welcome and creative amendments have been made which much improve the proposal;
- (d) any enclosure of the site needs to be in keeping with the style of the existing building and more historic site enclosure;;
- (e) the removal of a storey to the mill building is welcomed, as is the inclusion of string courses in stone which complement the original building;
- (f) the Planners and Developers are to be congratulated on the high quality responses to Committee member's concerns and suggestions as the current application is much improved and illustrates the thought that has gone into the amendments and skill of those involved;
- (g) the brick colour and texture of the new-build sections needs to match or compliment that of the old building;
- (h) the level of detail provided on the windows is welcomed;
- (i) the brickwork colour of the rear elevation of the building fronting Garden Street, as shown in the CGI, needs further consideration as it is not sympathetic to the design.

Councillors' questions were responded to as follows:

- (j) it is proposed to enclose the space alongside Garden Street but the details of the means of enclosure will be dealt with by condition ;
- (k) parking is provided for approximately 80 cars in the basement level. Since the accommodation is high density and a significant portion aimed at students, these units would not attract a demand for the parking spaces. The parking spaces are likely to be allocated to the apartments but this will be clarified as part of the management arrangements to be agreed by condition;
- (l) the CGI of the rear elevation of the Garden Street building does not adequately represent the proposal but shows the intention of a light coloured brick to enhance light penetration to this area. Details of all materials are to be conditioned.

It is noted that as Councillor Graham Chapman had briefly left the room and was not in attendance for the entire item, he was eligible to comment and ask questions, but not eligible to vote on the application.

Councillor Azad Choudhry abstained from voting due to the lack of parking provision.

RESOLVED

(1) to grant full and outline planning permission subject to:

a) prior completion of a planning obligation, the power to determine the final details of the obligation are delegated to the Chief Planner in consultation with the Committee Chair, Vice-Chair and Opposition Spokesperson, which shall include:

- (i) an off-site financial contribution towards public open space;**
- (ii) a financial contribution towards education;**
- (iii) on-site provision of affordable housing**

Subject to the conclusions of the District Valuer's independent assessment of the developer's viability appraisal as to whether the whole or part of the policy compliant section 106 contributions should be required;

- (b) the indicative conditions substantially in the form of those listed within the Additional/To Follow Agenda Items and Committee Update Sheet;**
- (c) the power to determine the final details of the conditions is delegated to the Chief Planner;**

(2) 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;

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

85 SITE OF TRENT WORKS, WILFORD CRESCENT EAST

This item was withdrawn from the agenda.