

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 24 January 2018 from 2.30 pm - 3.28 pm

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Cat Arnold (Vice Chair)
Councillor Cheryl Barnard
Councillor Gul Nawaz Khan
Councillor Sally Longford (minutes 47 to 52 inclusive)
Councillor Brian Parbutt
Councillor Mohammed Saghir
Councillor Wendy Smith
Councillor Malcolm Wood
Councillor Steve Young

Absent

Councillor Graham Chapman
Councillor Azad Choudhry
Councillor Josh Cook
Councillor Rosemary Healy
Councillor Andrew Rule
Councillor Linda Woodings

Colleagues, partners and others in attendance:

| | |
|----------------------------|----------------------------------|
| Councillor John Hartshorne | - Local Ward Councillor |
| Judith Irwin | - Senior Solicitor |
| Councillor Jackie Morris | - Local Ward Councillor |
| Rob Percival | - Area Planning Manager |
| Martin Poole | - Area Planning Manager |
| Paul Seddon | - Chief Planner |
| Nigel Turpin | - Team Leader, Planning Services |
| Zena West | - Governance Officer |

47 APOLOGIES FOR ABSENCE

Councillor Graham Chapman – other Council business
Councillor Azad Choudhry – personal reasons
Councillor Josh Cook – personal reasons
Councillor Rosemary Healy – no reason given
Councillor Andrew Rule – work commitments
Councillor Linda Woodings – personal reasons

48 DECLARATIONS OF INTEREST

None.

49 MINUTES

The minutes of the meeting held 20 December 2017 were agreed as a correct record, and signed by the Chair.

50 CAR PARK ON SITE OF QUEENS HOUSE QUEENS ROAD

Rob Percival, Area Planning Manager, introduced application 17/02705/PVAR3 by Tim Groom Architects on behalf of Primus Alliance Nottingham Ltd. for amendment to the external design and increase in number of units (from 215 to 222) and variation of condition S1 (plans) of existing planning permission 15/00462/PFUL3. The application is brought to Committee because the original planning application was previously determined by Planning Committee. An update sheet was circulated in a supplementary agenda. The following points were highlighted:

- (a) the original application was submitted and approved in 2015. It contained a staggered south west corner to provide terraces for that side of the building. It was a U-shaped unit surrounding a courtyard, with communal space on each floor, comprising of 215 self-contained student accommodation units;
- (b) the current scheme is the same in terms of its footprint and envelope, with rooms wrapped around a central courtyard. The entrance will now be on Queen's Road, and will be double height. There is some variation in terms of the size of individual rooms, but the smallest room is still quite generous;
- (c) the application seeks approval for the revised drawings, due to a recent change of ownership. The project is being continued by an experienced student accommodation provider, with a style and model that it typically uses. The re-design is more in keeping with the adjacent mill buildings and some design elements mirror the neighbouring Hicking Building;
- (d) the design also features a curved corner (on the corner of Queen's Road and Summer Leys), the top floor set back, added height and drama from a double height ground floor frontage, large windows with depth to avoid a flat frontage, and patterned brickwork on the curved element to lend some interest to the design;
- (e) the staggered corner from the previously approved design has been moved to a more simplified form;
- (f) as the application is a variation to a previously approved scheme, the section 106 obligations will remain the same;
- (g) the update sheet provided further information as to the Environment Agency's consultation response. The Agency recognised that as the application is a variation, offering an objection may not be appropriate, however its concerns regarding flood risk remained. Colleagues responded that these issues were being addressed, with conditions applied;
- (h) a late representation had been received from a nearby resident, regarding a loss of view and privacy concerns. Colleagues responded that these concerns have already been addressed within the report.

There followed a number of questions and comments from the Committee, and further information was provided:

- (i) the Committee agreed that the re-design was an improvement on the previous application. Comments included that the previous scheme felt brutal in comparison, that this scheme fitted better with its environment. Though this scheme could be seen as having a somewhat gloomy aspect, it could also be considered statuesque;
 - (j) the student accommodation company managing the scheme is an experienced provider. It has also provided a detailed management plan and a draft tenancy agreement. It is taking responsibility for management and providing adequate reassurances;
 - (k) the applicant is happy to have further discussions regarding the flood risk. It is confident that the risk can be addressed within the design of the building;
 - (l) the previous scheme had a 42m² cycle storage room, which will now be 51m². Depending on how this is configured and what type of racking is used, this will be able to accommodate between 30 and 60 bikes. Existing condition no. 13 on the draft decision notice requires cycle storage to be provided. If the Committee so wishes, this condition can be amended to require such provision to be in accordance with details approved by the local planning authority, to ensure adequate storage is provided;
 - (m) a condition is in place to tackle parking issues surrounding pick-up and drop-off at the start and end of term with the applicants. Suggestions have included the temporary use of parking bays on Summer Leys, the temporary suspension of local traffic regulation orders, or use of the station car park opposite the scheme. Drop offs at purpose built student accommodation schemes are often timed and well managed.
- (1) grant planning permission for the variation to condition S1 (Plans) of planning permission 15/00462/PFUL3 subject to:**
- (a) The transfer of those obligations contained in the section 106 agreement dated 28 May 2015 (linked to permission reference 15/00462/PFUL3) namely:**
 - (i) A financial contribution of £86,569.75 towards the provision and/or enhancement of open space at the Victoria Embankment;**
 - (ii) a student management scheme including a restriction on car usage;****to the current variation permission (reference 17/02705/PVAR3);**
 - (b) the indicative conditions (other than condition 13) listed in the draft decision notice at the end of the report; and**
 - (c) condition 13 (cycle storage) as amended in accordance with minute 50(l) above;**
- (2) delegate authority to determine the final details of the conditions of the planning permission and the form and content of the transfer of the section 106 obligations as per resolution 50(1)(a) above to the Chief Planner;**

- (3) **ensure that Councillors are satisfied that Regulation 122 (2) Community Infrastructure Levy Regulations 2010 is complied with, in that the section 106 provision sought as per resolution 50(1)(a) above is:**
- (a) necessary to make the development acceptable in planning terms;**
 - (b) directly related to the development;**
 - (c) fairly and reasonably related in scale and kind to the development;**
- (4) **ensure that Councillors are satisfied that the section 106 provision sought as per the resolution at minute 50 (1)(a) above would not exceed the permissible number of obligations according to Regulation 123(3) Community Infrastructure Regulations 2010.**

51 SITE OF APOLLO HOTEL PH HUCKNALL LANE

By prior arrangement with the Committee Chair, Councillor Jackie Morris, in her capacity as a Ward Councillor for Bulwell, addressed the Planning Committee in opposing the application, highlighting the following points:

- (a) the applicant has refused offers of help with their application and planning matters from Council colleagues. The applicant has on occasion also been verbally abusive. The applicant believes that as the land is his, he can use it as he wishes without needing any further permission;
- (b) issues with the site have been ongoing for 4 years, with the main issues regarding hygiene on the site – hot food is served with no toilet facilities available for staff or customers. The rear of the containers on the perimeter of the site are often used for toilet purposes, to the detriment of neighbouring residents.

By prior arrangement with and approval of the Committee Chair, Councillor Hartshorne, in his capacity as a Ward Councillor for Bulwell, addressed the Planning Committee in opposing the application, highlighting the following points:

- (c) the site is visually very prominent, and sits on a major road at the gateway to Bulwell, with thousands of visitors passing each day in vehicles and on foot. It was previously a decorative public house, but is now an eyesore. It would be nice to be able to work with the owner of the land to expand the housing provision currently at the rear of the site.

Martin Poole, Area Planning Manager, introduced application 17/00330/PFUL3 by Mr Max Cully on behalf of Mr M Barker for planning permission for continued use of hand car wash with canopies, associated storage containers, catering can serving hot food and drink and with associated customer seating area. The application was brought to Committee at the written request of Ward Councillors. The following points were highlighted:

- (d) the site is on a busy prominent main route into Bulwell, with residential properties on Ventura Drive overlooking the rear of the site;

- (e) the site contains several storage containers. The area behind the containers has been used for antisocial behaviour which has given rise to some environmental issues;
- (f) an enforcement notice is in place on the site, which has prompted the applicant to submit the planning application. Colleagues have sought to resolve the outstanding environmental issues during the life of the planning application, and have held off seeking full compliance with the notice in the hope that an acceptable solution could be negotiated;
- (g) in the event that the recommendation to Planning Committee to refuse the planning application is accepted, colleagues will take further steps to seek compliance with the enforcement notice that is in place. If use continues in breach of the notice it can be pursued further through the courts, subject to legal consideration. The applicant will have the right to appeal if the application is refused.

There followed a number of questions and comments from the Committee, and further information was provided:

- (h) Committee members were broadly critical of the proposals, with comments including the fact that the site is in a prominent location as the gateway to a thriving market town, the issues have been ongoing for too long with no cooperation from the site owner, and that neighbouring residents had suffered greatly with issues to do with hygiene, floodlights and noise;
- (i) the Environmental Health Team has previously intervened successfully with regards to some of the management issues relating to the site. Planning colleagues will share the Committee's strong concerns with Environmental Health colleagues, and request a collaborative and joined up approach until such time as the issues are resolved.

RESOLVED to refuse permission for the reasons set out in the draft decision notice at the end of the report.

52 12 AND 12A ALBANY ROAD

Martin Poole, Area Planning Manager, introduced application 17/02175/PFUL3 by Mr Derek Francis on behalf of Mr Bonnick for planning permission for the change of use to supported accommodation, including extension and internal alterations. The application is brought to Committee at the request of a Ward Councillor. An update sheet was circulated in a supplementary agenda. The following points were highlighted:

- (a) the two residential properties on Albany Road are currently small blocks of flats. This proposal is to change the use to provide supported accommodation, with a modest ground floor extension to provide laundry facilities. It is also proposed to change the use of rear garages into an office, and the front garage into a communal lounge. There will be a net increase of one bed space in the new scheme compared with the current use;

- (b) concerns have been raised by residents and local Ward Councillors regarding the number of specialist dwelling types nearby. This has been investigated in some detail, with comment provided by the Housing Strategy Team. There are currently no existing specialist supported buildings within a one kilometre radius of the site;
- (c) it has been suggested that the scheme could be limited to non-car users, as there is only provision for one car parking space on site. Whilst there is on-street parking in the area, this is in high demand.

There followed a number of questions and comments from the Committee:

- (d) the Committee broadly agreed with the assessment that this scheme would have no impact on the mix of uses in the area, and that when such schemes are well managed they do not cause problems for local residents. Councillors requested that the applicant be required to provide residents with a point of contact for any site management issues that may arise and it was suggested that this could be done by condition.

RESOLVED to:

- (1) grant planning permission subject to the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report, plus an additional condition regarding the provision of a point of contact for local residents to report any site management issues;**
- (2) delegate authority to determine the final details of the conditions to the Chief Planner.**

53 UNIT 1 NORTH OF 166 QUERNEBY ROAD

Martin Poole, Area Planning Manager, introduced application 17/02389/PFUL by Harrison McAfee on behalf of Mr Croydon Fowler for planning permission for the demolition of an existing two storey workshop building and the erection of a new dwelling. The following points were highlighted:

- (a) the existing building is a workshop and outbuilding to the rear of a retail property, and is situated on the corner of Querneby Road and Querneby Avenue;
- (b) the application is for the demolition of the existing building and the erection of a small 2.5 storey residential property, typical of existing housing stock in the area. No car parking is proposed. The residents nearby are heavily reliant on on-street parking, and there are some existing issues with the availability of parking nearby;
- (c) the provision of a parking space on the scheme would result in the loss of an on-street space. The scheme is unlikely to exacerbate parking issue to a degree that permission should be refused;

- (d) no formal objections were received in consultation with direct neighbours.

Committee members noted that the marginal effect on the parking problems in the area had to be balanced with housing demand.

RESOLVED to:

- (1) grant planning permission subject to 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 of the conditions to the Chief Planner.**

54 GARAGES NORTH WEST OF 2 QUERNEBY AVENUE

Martin Poole, Area Planning Manager, introduced application 17/02616/PFUL3 by JMF Chartered Architects on behalf of Mr A.J. Firth for planning permission for the erection of a detached two storey dwelling. The application is brought to Committee because a similar application (17/02389/PFUL3) was also considered at Committee, at the request of a Ward Councillor. The land is currently used for garages, with a proposal for a small dwelling, in the same ownership as the properties around the Woodborough Road frontage. The design echoes surrounding properties.

There followed a number of comments from the Committee, and further information was provided:

- (a) there are no windows on the side elevation, to avoid overlooking neighbouring properties;
- (b) the property will share an off street bin store area with the neighbouring properties which share an owner;
- (c) the accommodation is very small and will likely be marketed to a single person as an alternative to a flat;
- (d) whilst no parking is proposed, the house is on a direct bus route into town which will soon benefit from a new fleet of biogas buses.

RESOLVED to:

- (1) grant planning permission subject to 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 of the conditions to the Chief Planner.**