

## NOTTINGHAM CITY COUNCIL

### PLANNING COMMITTEE

**MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 16 May 2018 from 2.31 pm - 4.38 pm**

#### Membership

##### Present

Councillor Chris Gibson (Chair)  
Councillor Brian Parbutt (Vice Chair) (minutes 8-9)  
Councillor Azad Choudhry  
Councillor Michael Edwards (as substitute)  
Councillor Rosemary Healy  
Councillor Gul Nawaz Khan  
Councillor Sally Longford (minutes 1-8)  
Councillor Mohammed Saghir  
Councillor Wendy Smith  
Councillor Malcolm Wood (minutes 1-7)  
Councillor Linda Woodings  
Councillor Steve Young

##### Absent

Councillor Cheryl Barnard (sent substitute)  
Councillor Graham Chapman  
Councillor Josh Cook  
Councillor Jackie Morris  
Councillor Andrew Rule

#### Colleagues, partners and others in attendance:

Richard Bines - Solicitor  
Rob Percival - Area Planning Manager  
Martin Poole - Area Planning Manager  
Paul Seddon - Chief Planner  
Nigel Turpin - Team Leader, Planning Services  
Zena West - Governance Officer

### **1 APPOINTMENT OF VICE-CHAIR**

Councillor Brian Parbutt was appointed as the Vice Chair for the 2018/19 municipal year.

### **2 APOLOGIES FOR ABSENCE**

Councillor Cheryl Barnard – work commitments (Councillor Michael Edwards attending as substitute)  
Councillor Graham Chapman – Council business  
Councillor Josh Cook – Council Business  
Councillor Jackie Morris – Council business  
Councillor Brian Parbutt – Council business (attended from minute 7 onwards)  
Councillor Andrew Rule – work commitments

### **3 DECLARATIONS OF INTEREST**

None.

#### **4 MINUTES**

The minutes of the meeting held 18 April 2018 were agreed as a correct record and signed by the Chair.

#### **5 MORRISONS SUPERMARKET, GREEN LANE**

Rob Percival, Area Planning Manager, introduced application 17/02258/PFUL3 by Peacock and Smith Ltd. on behalf of William Morrison Supermarket PLC, for a mixed use retail (Class A1-A3 and Class A1/A3) and leisure scheme (Class D2) comprising two units adjacent to Green Lane and five units adjacent to the supermarket building. The application was brought to Planning Committee because it is a major application on a prominent site where there are important layout and design considerations. The application was deferred from the 18 April 2018 meeting of Planning Committee to enable consideration of a technical appraisal of neighbouring residents' representations concerning the Applicant's Acoustic Assessment.

Rob Percival gave a presentation to Councillors showing aerial views, maps with the layout of the supermarket and location of proposed building works. He highlighted the following points:

- (a) substantial representations have been received regarding the impact on neighbouring properties, particularly relating to the use of the proposed service access road. Environmental Health have assessed this impact, and their comments are contained within the report. Conditions have been included to limit those issues and concerns, and other possible servicing arrangements have been investigated, none of which are desirable;
- (b) the update sheet contains final representations from local residents, who raised concerns regarding vehicles parking or queuing on the access road. An additional condition has been proposed as a result of this concern;
- (c) as a Ward Councillor, Councillor Josh Cook lodged a written representation objecting to the proposal with the Chair of Planning Committee shortly before the start of the meeting. He did not attend the meeting as a member of Planning Committee and did not participate in the discussion or vote on the item.

There were a number of questions and comments from the Committee, and some additional information was provided:

- (d) if access for the units near to the supermarket was from the front of those units, this would conflict with pedestrian access to the supermarket, and may prove to be hazardous. It was right to explore the option but it would raise safety issues;
- (e) an amendment was requested to the additional condition regarding delivery vehicles parking in the service access road, to also preclude them from waiting or idling on the access road;

- (f) as the boundary of the site is directly next to the access road, there would be no space to install a noise barrier without moving the access road;
- (g) whilst the conditions limit vehicles using the access road to rigid vehicles up to 12 metres, the majority of vehicles using the service road are likely to be much smaller. The limit will prevent large HGVs from accessing the site in this way;
- (h) whilst there are a number of local gym facilities nearby, the development is welcomed and the overriding principle is supported. Assessments have not revealed any anticipated increase in Anti-Social behaviour issues relating to the presence of a gym.

**RESOLVED to:**

- (1) **grant planning permission, subject to:**
  - (a) **prior completion of a S106 planning obligation which shall include a financial contribution of £30,000 towards improvements to the pedestrian link between the application site and Southchurch Drive;**
  - (b) **the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report, and the update sheet;**
  - (c) **the amendment of condition 8 to include “or waiting”, to read “the access road leading to the service yard, as amended by the requirements of condition 18, shall not be used for the parking or waiting of vehicles accessing the service yard at any time”;**
- (2) **delegate authority to determine the final details of the S106 planning obligation and of the conditions to the Chief Planner;**
- (3) **agree 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;**
  - (c) **fairly and reasonably related in scale and kind to the development;**
- (4) **agree that the Committee is satisfied that the planning obligation sought would not exceed the permissible number of obligations according to the Regulation 123(3) Community Infrastructure Levy Regulations 2010.**

**6 43-55 LOWER PARLIAMENT STREET AND 1-7 GLASSHOUSE STREET**

Martin Poole, Area Planning Manager, introduced application 18/00227/PFUL3 by Rayner Davies Architects on behalf of Megaclose Ltd for the conversion of 43-55 Lower Parliament Street to mixed use commercial and student accommodation, the demolition of 1-7 Glasshouse Street and development of a 5 and 6 storey student accommodation building. The application was brought to Planning Committee because it is a major application on a prominent city centre site where there are important design considerations.

Martin Poole gave a presentation to Councillors showing pictures of the existing buildings from Glasshouse Street and Claire Street, and artists impressions of the proposed design for the new building. He highlighted the following points:

- (a) the proposal includes the demolition of 2 buildings on Glasshouse Street, to be replaced with a 5 and 6 storey building, and also to convert the upper floors of the gasworks building. The main entrance would be on Claire Street, and the Glasshouse Street frontage would use a variety of brick tones to give the appearance of separate buildings;
- (b) a number of representations have been received, including concern regarding the loss of the existing buildings. The Lace Market conservation area was recently expanded to include the gasworks building, but not those on Glasshouse Street – this block of buildings has therefore been considered in terms of its heritage value in great detail quite recently. The buildings which will be demolished are not listed, nor in a conservation area, but they have an architectural quality which would require a replacement of the highest quality.

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

- (c) committee members opinions were divided regarding the proposed replacement buildings. Some councillors liked the proposed replacement buildings and some disliked them. There was general agreement that the buildings to be demolished were unique and had an architectural quality which would be missed, however it was acknowledged that the committee had no power to prevent their demolition, merely to decide on the buildings which would replace them. It was also noted that the buildings to be demolished had not been used in some time, were in a state of disrepair, and could not be easily converted to student accommodation. It was suggested that approval of the design of the replacement buildings be delegated, as the committee agreed that the current proposed designs were not of a suitable quality to replace the building being demolished;
- (d) committee members requested details on proposed cycle storage and recycling facilities. Cycle storage is proposed, and can be ensured through conditions. Whilst there is provision in the scheme for waste disposal, it does not go into detail regarding recycling;
- (e) committee members requested that no matter the form the replacement building takes, that the blue plaque in place on the existing building for famed pie maker TN Parr can be salvaged and installed on the replacement building;
- (f) the Prysm Nightclub has raised concerns that residents of the new student accommodation may lodge noise complaints. This has been addressed in the conditions, with a requirement for noise insulation. Environmental Health feels that there won't be a particular issue, and there are other residential properties nearby which have not experienced noise issues with Prysm;
- (g) committee members debated whether to postpone a decision on this item until the next meeting of Planning Committee after a more suitable design had

been submitted, or to approve the scheme and delegate the final design to the Chair, the Vice Chair, and an Opposition spokesperson in consultation with the Chief Planner. The committee opted for the latter option.

**RESOLVED to:**

- (1) grant planning permission subject to:**
  - (a) delegation of approval of the final design and appearance of the Glasshouse Street frontages to the proposed development to the Chair, Vice-Chair and Opposition Spokes Person in consultation with the Chief Planner;**
  - (b) prior completion of a Section 106 planning obligation to secure:**
    - (i) a public open space contribution of £19,396.36 towards infrastructure improvements to Robin Hood Chase green corridor;**
    - (ii) a highways contribution of £10,000 towards improved cycle access along King Edward Street;**
    - (iii) a student management plan, to include restrictions on car use;**
  - (c) the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report, and conditions requiring the provision of adequate cycle and waste recycling storage (if not already provided);**
- (2) delegate authority to determine the final details of both the conditions and the section 106 obligation to the Chief Planner;**
- (3) agree 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;**
  - (c) fairly and reasonably related in scale and kind to the development;**
- (4) agree 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 requested that his vote against the above resolutions be recorded.

**7 PEMBERTON STREET**

Rob Percival, Area Planning Manager, introduced application 14/01992/PFUL3 by Gracemachin PP on behalf of PSG SIPP Trustees Ltd and PSG SSAS Trustees Ltd for the erection of student accommodation. The application was brought to Planning Committee because it is for a major development on a prominent site where there are important design and heritage considerations.

Rob Percival gave a presentation to Councillors showing an aerial view of the site, the backdrop of the Lace Market and neighbouring cliffs, and photos of the site from various angles. He also included drawings of the proposed development in a wider context with previously approved neighbouring schemes. He highlighted the following points:

- (a) a key drive of the design has been to keep it to an appropriate height and scale to ensure the Lace Market escarpment view remains. The proposed development is predominantly brick, with bronze coloured aluminium window frames. Where the building faces neighbouring properties it steps down to 2 stories, and has windows angled away from those properties;
- (b) the intention was to create a “background building” which will blend into the background and landscape. This has been fairly challenging given the site’s prominent location on a roundabout. Historic England have seen positives in redeveloping this important site, but they have expressed concerns regarding the scale. The Nottingham City Council Conservation Officer and the Nottingham Civic Society are supportive of the scheme and its simplicity;
- (c) the building features a corner entrance, with a garden area at the rear which also contains cycle storage;
- (d) objections were received from Highways colleagues, these are detailed in the update sheet and have been addressed by additional conditions.

There followed a number of questions and comments from committee members, and some further information was provided:

- (e) some Councillors felt the building blended in as a background building very well, but did appear to be a large flat square of brown, with little detailing. Planning colleagues confirmed there were some subtle breaks in the brickwork, but that the images did not convey this adequately;
- (f) committee members discussed the need for further student accommodation, and the possibility of future-proofing any student developments in case demand dropped. Planning colleagues confirmed that student accommodation has very low vacancy rates, with demand expected to rise, and that the student studio apartments could be converted internally to combine them into apartments should the need arise;
- (g) information was requested regarding recycling provision at the site. Whilst waste disposal has been considered, detail on how recycling specifically would be managed was not available;
- (h) the Section 106 contribution is determined by the number of bed spaces, and will contribute to off-site public realm improvements;
- (i) a previous design incorporated a rood terrace where the building dropped to two storeys, however this was removed from later proposals due to the possibility of it overlooking neighbouring properties;

- (j) the building sits slightly above ground level, to mitigate flood risk. The stairs and ramp at the entrance will also help to slow foot traffic out on to the busy pavement;
- (k) there are concerns in the London Road area around air quality. As a result there will be no bedrooms on the main frontage to London Road, with all ground floor rooms facing Pemberton Street. The development does also remove a car park. Air quality management requirements apply to the whole site, as with any city centre development;
- (l) committee members discussed whether to delegate details of the final design, and there was some discussion and disagreement regarding the appropriateness of delegating final details. Planning colleagues reassured the Councillors that any delegations only apply to detail on a scheme, not to the substance of a scheme. Committee members agreed to delegate the final design decision to the Planning Committee Chair, Vice Chair and an opposition spokesperson, in consultation with the Chief Planner.

**RESOLVED to:**

- (1) grant planning permission subject to:**
  - (a) delegation for the approval of the final design and appearance of the London Road frontage to the proposed development to the Chair, Vice-Chair and Opposition Spokes Person in consultation with the Chief Planner;**
  - (b) prior completion of a section 106 planning obligation which shall include:**
    - (i) an off-site financial contribution of £14,125.61 towards public open space for the Cliff Road / Sussex Street area;**
    - (ii) a student management scheme, which shall include a restriction on car usage;**
  - (c) the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report and the update sheet, as well as conditions requiring the provision of adequate cycle and waste recycling storage (if not already provided);**
- (2) delegate authority to determine the final details of both the terms of the planning obligation and the conditions of planning permission to the Chief Planner;**
- (3) agree 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;**
  - (c) fairly and reasonably related in scale and kind to the development;**
- (4) agree that Councillors are satisfied that the section 106 obligation(s) sought would not exceed the permissible number of obligations according to the Regulation 123 (3) Community Infrastructure Levy Regulations 2010.**

Councillor Malcolm Wood requested that his vote against the above resolutions be recorded.

## **8 LAND EAST OF TRENT LANE**

Martin Poole, Area Planning Manager, introduced application 17/01930/PFUL3 by CPMG Architects on behalf of Pelham Waterside LLP for the erection of 73 dwellings (50 houses and one block of 23 apartments), a new access road, landscaping, parking and boundary treatments. The application was brought to Planning Committee because it is a major application that is recommended for approval, but where any planning obligations are proposed to be waived, or are substantially less than typically required by adopted planning policies.

Martin Poole gave a presentation to Councillors showing aerial views of the site, photos of trees neighbouring the plot, and drawings of the proposed layout and building design. He highlighted the following points:

- (a) the scheme considers possible future developments near to the site and considers potential linkages;
- (b) the scheme contains two and three storey buildings, with different architecture but a similar architectural language to nearby schemes. The boundary treatments have also been considered carefully;
- (c) concerns have been raised from nearby businesses regarding their use of noisy machinery in industrial units, and the potential for noise complaints from future residents. These are detailed in the update sheet, and conditions include noise insulation measures such as screens, walls or fences. Colleagues from Environmental Health are satisfied.

Following questions and comments from the committee, some additional information was provided:

- (d) committee members felt that electric charging points for vehicles were positive, and requested detail on any charging points available for the apartments, along with further detail on recycling and cycle storage provision. Planning colleagues did not have this information to hand;
- (e) grant funding is available to ensure that 20 of the properties will be affordable housing, which is more than would typically be required on a development of this size;
- (f) more than one designated parking space has been provided per unit, parking has been carefully considered given issues on nearby developments with commuter parking;
- (g) local employment for construction will form part of the planning obligations;
- (h) acoustic fencing usually takes the form of a heavy wooden fence of an appropriate height to block a noise source. Awareness of neighbouring



buildings and possible noise issues will be the responsibility of potential buyers or tenants of the properties, who should make their own enquiries;

- (i) the scheme contains a slightly more conventional layout to existing schemes in the area, with driveways to the front of houses.

**RESOLVED to:**

- (1) grant planning permission subject to:**
  - (a) no new material issues being raised as a result of the further consultation with neighbouring and surrounding properties;**
  - (b) prior completion of a Section 106 planning obligation to include measures to ensure that development of adjacent land is not prejudiced and to facilitate a future further highway connection to Waterside Way;**
  - (c) the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report and additional conditions requiring:**
    - (i) the submission and approval of acoustic fence details for specific properties and post-completion verification that internal and external noise levels are not exceeded;**
    - (ii) the provision of adequate cycle and waste recycling storage (if not already provided);**
- (2) delegate authority to the Chief Planner to determine the final details of the conditions;**
- (3) agree 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;**
  - (c) fairly and reasonably related in scale and kind to the development.**

**9 GRASSINGTON ROAD**

Rob Percival, Area Planning Manager, introduced application 17/01099/PFUL3 by Ellis Williams Architects on behalf of The Girls' Day School Trust for construction of a sports pavilion, two floodlit artificial pitches, car parking facilities, a coach drop-off point and re-siting of a portacabin. The application was brought to Planning Committee because it has shown significant public interest.

Rob Percival gave a presentation to Councillors showing aerial views, historical photos of the site, current photos, plans for the site and earlier iterations of the scheme. He highlighted the following points:

- (a) the main change from the earlier design is the orientation of one of the larger pitches, to avoid issues with the floodlights affecting neighbouring properties;

- (b) the update sheet details the objections to the scheme. It is proposed that the pavilion will contain community facilities, which are currently lacking in this area.

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

- (c) the floodlit pitches are now around 70 metres away from the nearest neighbouring property, with smaller non-floodlit properties situated closer;
- (d) there is some local concern regarding noise, especially in relation to the coach drop-off area. There will be some changes for residents of neighbouring properties, but Planning colleagues feel that there will not be a major impact. Conditions control the hours of use of the facilities;
- (e) the school would have use of the pavilion during the day, so any community use would be limited to non-school hours.

**RESOLVED to:**

- (1) grant Planning permission subject to the 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.**