

## **NOTTINGHAM CITY COUNCIL**

### **PLANNING COMMITTEE**

**MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 15 August 2018 from 2.30 pm - 3.51 pm**

#### **Membership**

##### Present

Councillor Chris Gibson (Chair) (except item 28)  
Councillor Brian Parbutt (Vice Chair)  
Councillor Graham Chapman  
Councillor Michael Edwards (as substitute)  
Councillor Rosemary Healy  
Councillor Gul Nawaz Khan  
Councillor Sally Longford  
Councillor Andrew Rule  
Councillor Mohammed Saghir  
Councillor Malcolm Wood  
Councillor Linda Woodings  
Councillor Cate Woodward  
Councillor Steve Young (except item 28)

##### Absent

Councillor Cheryl Barnard (sent substitute)  
Councillor Azad Choudhry  
Councillor Josh Cook  
Councillor Wendy Smith

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

Judith Irwin	- Senior Solicitor
Martin Poole	- Area Planning Manager
Paul Seddon	- Director of Planning and Regeneration
Nigel Turpin	- Team Leader, Planning Services
Zena West	- Governance Officer

#### **24 APOLOGIES FOR ABSENCE**

Councillor Cheryl Barnard – leave  
Councillor Azad Choudhry – leave  
Councillor Josh Cook – leave  
Councillor Wendy Smith – leave

#### **25 DECLARATIONS OF INTEREST**

Councillors Chris Gibson and Steve Young declared an interest in agenda item 4b: Site of Fairham House, Green Lane, in that they had publicly campaigned for and supported the original development (under planning reference 16/02648/PFUL3). When the original application had been considered by the Committee in March 2017, Councillor Gibson had addressed the Committee as Ward Councillor then immediately withdrew from the meeting, not participating in the discussion or voting. Councillor Young had been absent from the March 2017 meeting. For consistency, both Councillors left the room during discussion of this item, and did not vote on it.

Councillors Chris Gibson and Malcolm Wood declared an interest in agenda item 5: Nottingham Local List Adoption, as they are both members of the Heritage Panel. This interest did not preclude them from discussing, debating or voting on the item.

## **26     MINUTES**

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

## **27     11 - 19 STATION STREET**

Paul Seddon, Director of Planning and Regeneration, introduced application 18/00916/PFUL3 by Franklin Ellis on behalf of Bildurn Properties Ltd for the demolition of existing buildings, and the erection of a five-storey office building with associated undercroft parking, external works, and roof plant area. The application was brought to Planning Committee because it relates to a major development on a prominent site where there are important design and heritage considerations.

Paul Seddon gave a presentation to Councillors showing a map and aerial views of the site, a plan showing the boundary of the proposed development along with land ownership, photos and context of the front and rear of the property, proposed plans, cross sections and elevations, views from Queen's Walk, and CGIs to give an idea of the proposed quality of finish. He highlighted the following points:

- (a) the proposal includes demolition of the existing building, which was originally a hotel but in the late 19<sup>th</sup> century. The existing building is handsome in parts, but has been much changed and is in a poor condition;
- (b) the site is a sensitive location, in a conservation area, and on one of the first streets visitors to Nottingham may encounter. There is a need for a high quality statement development of Grade A offices, to attract tenants, meet Council objectives, and do justice to the site;
- (c) the proposal involves five floors of office space with a reduced footprint and terrace on the fifth floor, and a lower ground floor which includes parking for 29 cars, cycle storage, and facilities for waste and recycling. The office floors are open plan and have simple access cores;
- (d) the design philosophy was for a strong ground floor featuring support columns which are typical of Nottingham architecture, then red brick to fit in with the conservation area. It involves a simple palette and a contemporary approach whilst managing its visual impact;
- (e) the proposed office block is part of a wider development of the surrounding area, including the previously approved student accommodation block at 25 Station Street, and the conversion of the Gresham Hotel into apartments.

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

- (f) there were strong objections from the Civic Society, and serious concerns from Historic England, who stated that the Committee should be satisfied that there is no viable alternative use for the existing buildings, and a robust case was required. As the site is in a conservation area, any replacement building would need to enhance the area;
- (g) some Councillors felt that the proposed development did not enhance the conservation area, and that the replacement buildings would not do justice to those being lost. There was a general acceptance that it would be difficult to convert the old building to suitable Grade A modern office space, and Planning colleagues explained that “façading” (keeping the façade of an old building whilst replacing the structure behind it) would also not be suitable in this case due to the low ceiling height;
- (h) although the footprint of the building is in line with neighbouring properties, it has the effect of protruding into the street due to the recessed glass section on the lower floor and the glass section to one side. Some Councillors felt that the glass section to one side, the offset brick and glass sections from floor one to five, and the blue brick section to the rear of the building were not attractive;
- (i) the statement from Historic England is included within the report in full, and alludes to concern that the loss of the current building may threaten the status of this area as a conservation area. Planning colleagues did not feel this was an issue, and noted that the development is in line with the development brief for this site set in 2012;
- (j) it was noted that the rear of the site currently operates as a car park, with more than 29 spaces, so the proposed 29 spaces in the new development should not cause any parking issues;
- (k) some Councillors felt that the building would look more attractive if the front elevation facing Station Street emphasised more vertical elements and appeared to be split into smaller units. There was greater decoration to the elevation facing the canal and overall they felt the proposed design was not sufficiently attractive and in harmony with its surroundings for this prominent site;
- (l) some Councillors felt that the scale of the building did not relate well to its smaller neighbours;
- (m) There was concern as to how vehicle movements to and from the site would be managed, given that both Trent Street and Station Street have been pedestrianised;
- (n) there was recognition of the need to provide Grade A office space in this area, and an acceptance that conversion of the existing building would not be successful for a modern high quality office, however Councillors felt that the proposed replacement would not be suitable in its current design, and opted to defer this item pending changes to the architecture and materials.

**RESOLVED to defer this item to a future meeting of Planning Committee.**

## **28     SITE OF FAIRHAM HOUSE, GREEN LANE**

Further to minute 25: Declarations of Interest, Councillors Chris Gibson and Steve Young left the room for the duration of this item. In the absence of Councillor Chris Gibson, Vice Chair Councillor Brian Parbutt chaired this item.

Martin Poole, Area Planning Manager, introduced application 18/01050/PFUL3 by WYG Planning Limited on behalf of Cedar House Investments Ltd for the change of use of one unit from retail (A1) to Tanning Salon (Sui-Generis). The application was brought to Planning Committee because it generated significant public interest that is contrary to the recommendations of Planning colleagues.

Martin Poole gave a presentation to Councillors showing maps, floorplans and photos of the unit. He highlighted the following points:

- (a) the retail units within the Fairham House site are now largely completed, this request relates to a smaller unit in the centre of a run on the western side of the site. The tanning salon would be the first occupiers, and a change of use would be required from class A1 (retail) to sui generis (no classification);
- (b) 87 representations have been received, 86 of which object to the proposed change of use. The main grounds for objection relate to the number of tanning salons already present in Clifton, the safety of tanning salons, and the aspirations for the retail park to provide shops for items such as shoes and clothing. The retail park is not within the centre of Clifton, and there are no related planning policy protections.

A statement was read from Councillor Josh Cook in his absence:

- (c) further to sending my apologies earlier I felt that it would be appropriate to express my views on the Fairham site which is on the agenda today. Whilst I regrettably cannot attend today I would like to voice my opposition to the tanning salon and for it to be recorded in the minutes of the meeting. This is because I would like to echo the residents statements there are already enough tanning salons in Clifton especially around the Southchurch Drive area, and that an alternative use would be preferable. I also believe that tanning salons are harmful to people's health in the long run and would like to voice that concern as well as I don't believe we should be encouraging this as a Committee if at all possible, and certainly not without adding any caveats or precautionary clauses or measures. For the Chair's information I am not seeking a response from officers.

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

- (d) it was noted that the Committee cannot make a determination on health grounds, as that is not within their remit, nor are there legislative restrictions on tanning salons for health reasons;

- (e) it was also noted that any future change of use requests would be determined on a case-by-case basis, and if a change of use was granted it would not set a precedent for other retail units within the park;
- (f) In policy terms, the key question was whether the proposed use adversely affected viability or vitality of the town centre. Planning colleagues confirmed that it did not, by reason of its not being located within the town centre and the unit's modest size relative to the retail offer of the town centre.

**RESOLVED to grant planning permission subject to the indicative conditions listed in the draft decision notice at the end of the report.**

Councillor Malcolm Wood asked that his vote against this item be recorded.

Councillors Chris Gibson and Steve Young returned to the room, and Councillor Chris Gibson resumed his chairing duties.

## **29 NOTTINGHAM LOCAL LIST ADOPTION**

Nigel Turpin, Planning Services Team Leader, presented a report to the Committee setting out a proposal for the adoption of a Local List of Heritage Assets in Nottingham, and a mechanism for due consideration of applications for demolition of some historic buildings on the list through Article 4 Directions. Nottingham City Council's constitution grants Planning Committee a consultative role in this process, before the executive function is referred to a meeting of Executive Board at a later date. The pilot project recently conducted in Basford was successful.

Councillors commented that the list was welcome and would be a great asset to call upon to ensure heritage issues are taken into account. The list will be available publicly on the Nomad GIS mapping system.

**RESOLVED to:**

- (1) recommend the adoption of a Local List to Executive Board, including the selection criteria and process as detailed within the report;**
- (2) recommend that Article 4 directions be considered in the circumstances indicated in appendix 3 to the report to necessitate planning permission to be required in the case of demolition.**