

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 17 October 2018 from 2.30 pm - 3.35 pm

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Brian Parbutt (Vice Chair)
Councillor Leslie Ayoola
Councillor Cheryl Barnard
Councillor Graham Chapman
Councillor Azad Choudhry
Councillor Josh Cook
Councillor Gul Nawaz Khan
Councillor Sally Longford
Councillor Andrew Rule
Councillor Mohammed Saghir
Councillor Wendy Smith
Councillor Linda Woodings
Councillor Cate Woodward
Councillor Steve Young

Absent

Councillor Malcolm Wood

Colleagues, partners and others in attendance:

Ann Barrett	- Team Leader, Legal Services
Rob Percival	- Area Planning Manager
Martin Poole	- Area Planning Manager
Paul Seddon	- Director of Planning and Regeneration
Richard Taylor	- Environmental Health and Safer Places Manager
Jane Garrard	- Senior Governance Officer

36 APOLOGIES FOR ABSENCE

Councillor Malcolm Wood – Other Council Business

37 DECLARATIONS OF INTEREST

Councillor Steve Young declared an interest in Agenda Item 4d University Hospital NHS Trust Queens Medical Centre, Derby Road as he lives close to the Queens Medical Centre site and left the room during discussion of the item.

In relation to Agenda Item 4a Site of Fairham House, Green Lane Councillor Chris Gibson and Councillor Steve Young declared that they had publicly supported the development of a Lidl store on part of the Site covered by the original planning permission. However as this application was for the approval of reserved matters for

the residential development (for which the principal of that development had already been approved) and following advice they felt that this did not preclude them from discussing, debating or voting on this item.

38 MINUTES

The Chair noted that the minutes of the August meeting had been mistakenly attached to the agenda instead of the minutes of the September meeting. Therefore approval of the Minutes would be deferred to the next meeting.

39 SITE OF FAIRHAM HOUSE, GREEN LANE

Rob Percival, Area Planning Manager, introduced application 18/01120/PRES4 by Cedar House Investments Ltd for approval of reserved matters in relation to the layout, appearance and landscaping for the 24 apartments and associated works approved under planning permission 16/02648/PFUL3. The application was brought to Planning Committee because it relates to the reserved matters of an outline application that was previously considered at Planning Committee.

Rob Percival gave a presentation showing a map of the site, a map of the proposed layout, elevations and CGIs to give an idea of the proposed appearance of the building including options for red or buff brick. He highlighted the following points:

- (a) the proposal involves 24 apartments over 3 storeys – the scale of which has already been approved;
- (b) it is proposed that the ground floor apartments will have their own front garden;
- (c) it is proposed that the communal outside space will include a bicycle store and bin store and car parking adjacent to the retail units;
- (d) some trees are protected by Tree Preservation Orders and the proposal includes retention of some trees within the outside space.

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

- (e) the site is surrounded by railings but some councillors were concerned that the car park could attract anti-social behaviour and fly-tipping and be used by shoppers at the nearby retail units. It was suggested that consideration be given to additional security for example access via a secure gate and CCTV;
- (f) the property will be managed by Nottingham City Homes and there is an expectation that they will put in place appropriate arrangements for management and maintenance of the property;
- (g) while some councillors supported the option of a buff brick finish, other councillors favoured the use of red brick;

- (h) some councillors felt that there could be more detailing around the windows and that some of the windows at the front were too small;
- (i) the bin store has space for 4 large commercial scale bins, including 2 for recycling, and there is capacity for a further 2 bins to be added.

RESOLVED to grant reserved matters approval subject to conditions substantially in the form of the indicative conditions listed in the draft decision notice at the end of the report but subject to the Director of Planning and Regeneration being given delegated power to review the size and detailing of the windows and options for securing the front entrance to the car park and power to determine the final details of the conditions.

Councillor Josh Cook asked that his abstention on the above item be recorded.

40 23 HIGH PAVEMENT: I) FOR PLANNING PERMISSION, II) FOR LISTED BUILDING CONSENT

Rob Percival, Area Planning Manager, introduced 2 applications by Globe Consultants Ltd on behalf of First Provincial Properties Ltd: application 18/00225/PFUL3 for a change of use to mixed use development comprising retail (A1), restaurant with ancillary bar (Class A3/A4), office and meeting space with ancillary café/bar (Class B1) and 3 serviced apartments (Class C3), a single storey and first floor rear extension and associated works; and application 18/00226/LLIS1 for Listed Building Consent for a single storey rear extension, internal works including removal and reversing of an existing staircase and external works. The applications were brought to Planning Committee given the important heritage and land use considerations.

Rob Percival gave a presentation showing images of the current condition of the building both externally and internally, a map of the existing building layout and proposals for the layout of the ground floor, first floor and second floor. He highlighted the following points and referred to the additional information contained in the 'update sheet' provided to the Committee:

- (a) the proposal relates to a Grade II listed building which has been disused since the early 1990s and has suffered significant deterioration inside. Ceilings have collapsed, the stairs are collapsing and there is currently no access to the second floor;
- (b) given its Listed Status, the existing floor layouts make it difficult to find a new use for the building as it currently stands;
- (c) there has been a lot of negotiation with neighbours and other stakeholders which has resulted in changes. There has been strong representation from neighbours which has been responded to, for example it is proposed that the outdoor space is restricted to restaurant activity only and that it will initially be for one year only and then subject to review;
- (d) Historic England has now stated that they have no objections on heritage grounds and, in respect to the Listed Building Consent, they have stated that

bringing the building back into a sustainable use would be an important heritage benefit and public benefit;

- (e) the Police Architectural Liaison Officer is now supportive of the proposal;
- (f) the proposal is the best option for securing the future of the building.

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

- (g) the main staircase will remain but it is proposed to reverse the secondary staircase to provide a second entrance to the upper floors. It is also proposed that a lift will be located in this area. Historic England have accepted this proposal;
- (h) the revised proposal is for the uses being specific to particular areas of the building;
- (i) the absence of a secondary fire escape is an issue that the developers will need to overcome. It will be dealt with through Building Regulations;
- (j) the outdoor space is not large and the proposed conditions are intended to prevent it becoming an ancillary drinking space;
- (k) some councillors were concerned about the impact of noise and lighting on neighbours. It is not currently known who owns the rear wall of the courtyard and this is being explored. If it is the applicant then consideration will be given to requiring them to put acoustic protection in place to reduce noise. If it does not belong to the applicant then whoever is the owner could extend the current wall. The proposed conditions currently don't seek to control lighting but this could be added;
- (l) councillors felt that it is positive that a proposal has come forward to bring the building back into use.

RESOLVED to

- (1) grant planning permission subject to conditions substantially in the form listed in the draft decision notice at the end of the report together with an additional condition to control lighting in the courtyard and prevent it from becoming a nuisance; and**
- (2) grant Listed Building Consent subject to conditions substantially in the form listed in the draft decision notice at the end of the report and the additional condition contained in the update sheet relating to the secondary access core and delegate authority to determine the final details of the conditions to the Director of Planning and Regeneration.**

41 117 MORLEY AVENUE

Martin Poole, Area Planning Manager, introduced application 18/01196/PFUL3 by Melanie Dearing Architects on behalf of Mr Andrew Lawless for a new dwelling. The application was brought to Planning Committee at the request of a local ward councillor.

Martin Poole gave a presentation showing a photo of the site, the floor plan and elevations of the proposed building compared to other properties. He highlighted the following points:

- (a) the proposal is for a 3 storey property;
- (b) many of the other gardens on Morley Avenue have already been developed. There is a gap to similar new dwellings but that is not an issue;
- (c) there is 22/23 metres to other properties on Morley Avenue which is the minimum distance that would be expected.

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

- (d) the proposal includes a carport on the ground floor with a door at the rear to access the house;
- (e) the proposal will not result in a loss of parking on Morley Avenue because the new dwelling will be accessed from Mapperley Rise and includes parking for one vehicle.

RESOLVED to

- (1) grant planning permission subject to conditions substantially in the form of those listed in the draft decision notice at the end of the report; and**
- (2) delegate authority to determine the final details of the conditions to the Director of Planning and Regeneration.**

42 UNIVERSITY HOSPITAL NHS TRUST QUEENS MEDICAL CENTRE, DERBY ROAD

Further to minute 37: Declarations of Interests, Councillor Steve Young left the room for the duration of this item.

Rob Percival, Area Planning Manager, introduced application 18/01091/PFUL3 by C G Partnership Architects LLP on behalf of Nottingham University Hospitals NHS Trust for the construction of a single storey generator house and transformer building. The application was brought to Planning Committee because it generated representations from local ward councillors and significant public interest.

Rob Percival gave a presentation showing a site map, photos of the two sites concerned and their context, and drawings of the proposed buildings. He highlighted the following points:

- (a) the proposal is for the construction of a transformer building and generator house to house an emergency generator which is critical to the operation of the hospital;
- (b) representations had been received referring to the previous and existing generators on the site;
- (c) in response to concerns about noise, a noise assessment had been submitted which had been interrogated by the Environmental Health Team and further assessment requested. Additional noise abatement technology has been included as part of the generator scheme and the Environmental Health Team is now supportive of the proposal.

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

- (d) Richard Taylor, Environmental Health and Safer Places Manager, stated that the change in ground level helps to reduce the impact on neighbouring properties. Modelling shows that noise from the generator should not be audible over background noise, including at night. Environmental Health has investigated previous complaints about air pollution from the generator but due to the age of the equipment the concerns could not be resolved. However, the equipment being used in this proposal is a considerable technological improvement. It has been tested to check that it meets the air quality objectives including under a range of meteorological conditions. The technology being used reduces emissions by over 90% compared to the original and there should be no measurable impact;
- (e) some councillors were concerned that the proposal may not relate to a single testing period of 3 hours each month but could be shorter, more frequent testing adding up to 3 hours over the course of a month which may be more disruptive. It was suggested that testing should only take place during the day on weekdays when there is other background noise. Richard Taylor said that the technology had been tested for sustained periods and should operate without intrusion at any time. Rob Percival suggested that the proposed conditions could be amended to further control when testing may take place.

RESOLVED to

- (1) grant planning permission subject to conditions substantially in the form listed in the draft decision notice at the end of the report amended to control the times when testing may take place; and**
- (2) delegate authority to determine the final details of the conditions to the Director of Planning and Regeneration.**