

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES

of meeting held on **23 JANUARY 2013** at

Loxley House from 2.30 pm to 3.28 pm

- ✓ Councillor Gibson (Chair)
 - ✓ Councillor Malcolm (Vice-Chair)
 - ✓ Councillor Ali
 - ✓ Councillor Arnold
 - ✓ Councillor Chapman
 - ✓ Councillor Choudhry
 - ✓ Councillor Clark
 - ✓ Councillor Dewinton
 - ✓ Councillor Edwards
 - ✓ Councillor Khan
 - ✓ Councillor Klein
 - ✓ Councillor Longford
 - ✓ Councillor Morley
 - ✓ Councillor Steel
 - ✓ Councillor Watson
 - ✓ Councillor Wood
- ✓ indicates present at meeting

91 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Chapman, Councillor Choudhry, Councillor Longford and Councillor Malcolm.

92 DECLARATIONS OF INTERESTS

No declarations of interests were made.

93 MINUTES

RESOLVED that the minutes of the Development Control Committee meeting held on 19 December 2012, copies of which had been circulated, be confirmed and signed by the Chair.

94 PLANNING APPLICATION – 16 – 18 SNEINTON DALE

RESOLVED that the item be withdrawn from the Agenda to allow for further discussions to take place with the applicant.

95 PLANNING APPLICATION – LAND AT SITE OF DUFFIELD COURT, FLAXTON WAY

Consideration was given to a report of the Head of Development Management, copies of which had been circulated, on application 12/02933/PFUL3 submitted by Pelham Architects on behalf of Nottingham Community Housing, for planning permission for the erection of 22 dwellings.

The Head of Development Management reported the following, received since preparation of his report:

The report incorrectly stated that the new dwellings would be provided by Nottingham City Homes (NCH). In fact, the dwellings would be provided by Nottingham Community Housing Association (NCHA). Paragraph 7.3 stated that 9 of the dwellings would be constructed to Lifetime Homes Standards which was an error and should have read that 5 of the dwellings would be constructed to Lifetime Homes Standards.

It was reported that several versions of the site plan were submitted with the planning application however, the site plan included in the presentation is an up to date and accurate version and superseded the plan appended to the report. A query has been raised in relation to the proposed location of the site compound and it would be necessary to ensure that the compound was sensitively located to minimise disruption for the existing residents. It was therefore recommended that the wording of condition 6 be amended which required details of the construction compound to be submitted, as follows:

“The development shall not be commenced until a construction plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the location of the construction compound, the type, size and frequency of vehicles to/from the site, haul routes (if any), staff parking provision, site security, traffic management plans, wheel cleaning facilities and measures to prevent the deposit of debris on the highway and, a timetable for its implementation. Thereafter the construction plan shall be implemented in accordance with the approved details and timetable unless otherwise agreed in writing by the Local Planning Authority.”

The developer had confirmed that window reveals of 75mm would be incorporated across the scheme. The following additional condition was recommended to ensure that this was achieved:

“The development shall not be commenced until cross-section drawings to show details of the window reveals have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy BE3 of the Local Plan.”

The Committee welcomed the design of the proposals and were pleased that residents' wishes for pedestrian only access from Whitworth Rise had been secured. In response to comments, the Committee was assured that the timber boarding proposed would be well maintained. The Head of Development Management reported that the applicants had opted for a fabric first approach which would ensure that the 10% reduction in carbon emissions would be exceeded.

RESOLVED

- (1) **that planning permission be granted subject to the indicative conditions listed in the draft decision notice attached to the report and the additional conditions noted above;**
- (2) **that power to determine the final details of the conditions be delegated to the Head of Development Management.**

96 PLANNING APPLICATION – SITE OF 1 TO 10 AND 12 TO 20 WINDMILL CLOSE

Consideration was given to a report of the Head of Development Management, copies of which had been circulated, on application 12/03076/PFUL3 submitted by Studio-G Architecture LLP on behalf of Nottingham City Homes, for planning permission for the erection of 12 semi-detached dwellings.

The Head of Development Management reported the following, received since preparation of his report:

The developer had confirmed that window reveals of 75mm would be incorporated across the scheme and to ensure that this was achieved, the following additional condition was recommended:

“The development shall not be commenced until cross-section drawings to show details of the window reveals have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy BE3 of the Local Plan.”

In response to comments regarding the quality of materials used on the porches, the Head of Development Management confirmed that good quality materials would be used, the details of which would be secured by a condition.

RESOLVED

- (1) **that planning permission be granted subject to the indicative conditions listed in the draft decision notice attached to the report and the additional conditions noted above;**
- (2) **that power to determine the final details of the conditions be delegated to the Head of Development Management.**

97 PLANNING APPLICATION – 512 – 514 BERRIDGE ROAD WEST

Consideration was given to a report of the Head of Development Management, copies of which had been circulated, on application 12/03059/PVAR3, submitted by Karimia Institute for the variation of a planning condition on planning permission reference 01/00467/PVAR3 to allow an alteration to the opening hours.

The Committee was satisfied that approval of the application would allow the Planning Authority to secure a Travel Plan to help on-street parking and congestion in the area.

The Head of Development Management reported that, since circulation of the report, further consideration had been given to the activities that took place at the premises and the times and days of use. In order to seek to address local residents' concerns relating to the times of use late into the evening, particularly during the period of Ramadan, it was proposed that a more restricted closing time of 23:15 hours be applied.

The applicant had confirmed that, while as much flexibility as possible would be helpful, most prayers would be finished by 22:45 hours. A small number of people would typically remain on the premises until 23:15 hours for further prayers, but the applicants were happy to accept a restriction that the use did not extend beyond this time.

In addition to the revisions to the closing time, further minor changes were proposed to the wording of condition number 1 to give clarity over when the different types of uses must cease. This would help officers to monitor and enforce the activities at the premises and the hours of use. The changes would also address the ambiguity in relation to how the building would be used internally for different events. The Head of Development Management proposed the following amended recommendation in relation to the wording of condition 1:

“The premises shall not be used outside of the following times:

Day nursery - 08:30 to 16:30 hours, Monday to Friday only
Use for prayers / worship - 04:00 to 23:15 hours on any day
Other community uses - 08:30 to 21:30 hours on any day.”

The Committee broadly welcomed the reduced opening time. However concerns were expressed about the potential impact on local residents if public prayers were permitted to take place from 04:00 hours. The Head of Development Management stated that during these early morning times, the applicant had confirmed that only a small number of worshippers would attend. Furthermore, the prayers that took place from 04:00 hours were not part of a public gathering/meeting and therefore the impact upon local residents during this time was minimal.

In order to protect the amenity of local residents, the Committee considered it appropriate to distinguish between private prayers and public prayers to prevent large groups of people attending the premises before 08:30 hours. In light of these comments, the Head of Development Management proposed a minor revision to the wording of the condition as follows:

The premises shall not used be outside of the following times:

- Day nursery - 08:30 to 16:30 hours, Monday to Friday only
- Use for public prayers / worship - 08:30 to 23:15 hours on any day
- Other community uses - 08:30 to 21:30 hours on any day

RESOLVED

- (1) that planning permission be granted subject to the indicative conditions listed in the draft decision notice attached to the report, other than in relation to condition 1, which shall be worded as set out above;**
- (2) that power to determine the final details of the conditions be delegated to the Head of Development Management.**