

## **NOTTINGHAM CITY COUNCIL**

### **PLANNING COMMITTEE**

**MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 15 November 2017 from 2.31 pm - 3.37 pm**

#### **Membership**

##### Present

Councillor Chris Gibson (Chair)  
Councillor Cheryl Barnard  
Councillor Graham Chapman  
Councillor Azad Choudhry  
Councillor Josh Cook  
Councillor Michael Edwards (substitute)  
Councillor Rosemary Healy  
Councillor Gul Nawaz Khan  
Councillor Sally Longford  
Councillor Brian Parbutt  
Councillor Andrew Rule  
Councillor Mohammed Saghir  
Councillor Malcolm Wood  
Councillor Steve Young

##### Absent

Councillor Cat Arnold  
Councillor Wendy Smith  
Councillor Linda Woodings (Councillor Michael Edwards attending as substitute)

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

Matt Gregory	- Growth Point Planning and Planning Policy Manager
Rob Percival	- Area Planning Manager
Martin Poole	- Area Planning Manager
Paul Seddon	- Chief Planner
Nigel Turpin	- Team Leader, Planning Services
Zena West	- Governance Officer
Tamazin Wilson	- Solicitor

### **34 CHANGES TO MEMBERSHIP**

#### **RESOLVED to note:**

- (1) the appointment of Councillor Barnard as a member;**
- (2) the removal of Councillor Urquhart as a substitute member;**
- (3) the appointment of Councillor Power as a substitute member.**

### **35 APOLOGIES FOR ABSENCE**

Councillor Cat Arnold – work commitments  
Councillor Wendy Smith – work commitments  
Councillor Linda Woodings – work commitments (Councillor Edwards as substitute)

**36     DECLARATIONS OF INTEREST**

None.

**37     MINUTES**

The minutes were agreed as a true record and signed by the Chair.

**38     PLANNING APPLICATIONS: REPORTS OF THE CHIEF PLANNER**

**a       109-113 AND LAND TO REAR RUDDINGTON LANE (Agenda Item 5b)**

Rob Percival, Area Planning Manager, introduced application 17/01760/PFUL3 for planning permission to demolish number 111 Ruddington Lane, and the development of 21 dwellings, comprising apartments, 1, 2, 3 and 4 bedroom houses, together with groundworks, landscaping and other associated works. The application is brought to Planning Committee at the request of Ward Councillors. An update sheet was circulated in a supplementary agenda. The following points were highlighted:

- (a)    there is reference in the report to an outline application given historically on the site for a slightly smaller area. In the emerging Local Plan it is an allocated housing development area, but on a slightly larger site;
- (b)    Ruddington Lane recreation ground is to the north of the site, and the Compton Acres tram stop is nearby;
- (c)    the proposed development is for 21 units - 12 houses and 9 flats, with a bespoke single storey unit at the entrance to the site;
- (d)    the site will achieve access by removal of an existing semi-detached property on Ruddington Lane, which would make the remaining semi-detached property into a detached house;
- (e)    some of the 2 storey houses use the roof space as accommodation. The apartment block is 3 storeys. There are attempts in the layout to make use of the existing track between the gardens and have properties facing onto it. At the moment it is used purely for access to the rear gardens. It will be appropriately surfaced along the stretch where the development is;
- (f)    the 2 storey houses are of a comparable height and scale to existing properties on Ruddington Lane. Some units have been revised and the height brought down;
- (g)    as a result of concerns raised in relation to its proximity to neighbouring properties, the single storey unit at the entrance to the site has been redeveloped. It is now an L-shaped unit orientated towards the access road, and no longer overlooks any other property's garden;

- (h) with the exception of the single storey unit, all units have pitched roofs. There is a common architectural language throughout the scheme, but with a variety of styles. The scheme includes a communal parking area;
- (i) trees will be kept in front of the apartments, with pedestrian access through the site onto Ruddington Lane from the park, the tram stop, and the cycle and footpath network beyond.

The Committee had a number of comments and questions, and further information was provided in response:

- (j) some Councillors felt that the proposed access onto the side road off Ruddington Lane would not be adequate, and would cause further congestion on the side road. They requested that the access road go through the grass verge directly on to Ruddington Lane instead, particularly if this scheme is to be expanded in future with additional properties added. Highways colleagues have identified concerns with going across that verge and its proximity to the existing access point in the light of the current proposal;
- (k) the parking provision for the scheme was felt to be positive. Committee members noted the retention of trees on the park boundary was positive, but it was suggested that maintenance of the trees, along with provision and maintenance of street furniture such as bins should be added as a condition. It is intended that the road would be adopted, so maintenance of street furniture would fall under the Council's responsibility in future;
- (l) some Councillors questioned the inclusion of the single storey unit at the entrance, whilst acknowledging the work done to reconfigure it. Its inclusion requires the loss of a large eucalyptus tree, and some Councillors felt this building did not add anything to the scheme;
- (m) the City Council Ecologist has been involved with the planning application, and their comments are included within the report. A survey is yet to be completed, but as part of the conditions this will be done before any work starts;
- (n) if approved, the planning permission will be subject to a report back from the Biodiversity Officer. No unusual findings are expected, given the location of the development;
- (o) upon removal of 111 Ruddington Lane, the neighbouring semi-detached property (109 Ruddington Lane) will become detached. This will be appropriately finished, using bricks from the demolition of 111 Ruddington Lane if possible, with a fully hipped roof, and a condition will ensure control of the finished look of 109 Ruddington Lane;
- (p) a condition has been included in the draft decision notice concerning construction management, with the aim of reducing noise and nuisance impact on neighbouring properties during construction;
- (q) it is intended that the access road will be adopted, and so maintenance of it will be the responsibility of Nottingham City Council. Conditions have been

included in the draft decision notice regarding landscaping and boundary treatments, and high quality finish and materials are vital;

- (r) the small road towards the south of the site would allow for potential future expansion. The allocation of land to the south in the emerging Local Plan is for housing, it is envisaged that there is potential for expansion of the scheme if those strips of land can be purchased in future;
- (s) materials have yet to be agreed, there has been no negative feedback from the industry regarding concrete tiles, they are commonly used without issue.

**RESOLVED to:**

- (1) grant planning permission subject to:**
  - (a) Prior completion of a planning obligation which shall include;**
    - (i) a financial contribution towards off-site public open space;**
    - (ii) a financial contribution towards off-site education provision;**
  - (b) The indicative conditions listed in the draft decision notice at the end of the report, an additional condition to seek further details of the changes to 109 Ruddington Lane and any additional conditions arising from consultation advice from Nottingham City Council's Biodiversity Officer;**
- (2) delegate authority to the Chief Planner to determine the final details of the conditions and the obligation;**
- (3) agree that Councillors are 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 and (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 that relate to infrastructure would not exceed the permissible number of obligations according to the Regulation 123 (3) Community Infrastructure Levy Regulations 2010.**

**Councillor Andrew Rule asked that his vote against the decision be recorded.**

- b LAND TO REAR OF AND INCLUDING BANTON HOUSE, MEADOW LANE (Agenda Item 5a)**

Martin Poole, Area Planning Manager, introduced application 17/01720/PVAR3, by Hunter Page Planning Ltd. on behalf of Elevate Property Group, for variation of condition S1 of planning permission reference 13/02877/PFUL3, revised development block elevations and plans, with modifications to siting, materials palette and landscaping. The application is brought to Committee because it is for the variation of a major application that has been previously determined by Planning

Committee and relates to a prominent site where there are important design considerations:

- (a) planning permission was previously granted for comprehensive redevelopment of the site. The buildings have been cleared now and some preparation work is underway with a view to getting started. This application is to vary the conditions of that previous permission, seeking to substitute a different design scheme where the elements such as number of dwellings and retail space are essentially the same, but the buildings are of a different design and configuration;
- (b) 2 blocks on the riverfront have been amalgamated into 1 larger block. The original re-submission included a rectangular block on one end of the scheme, but that has now been reconfigured with an angled block instead, addressing the concerns raised by planning colleagues;
- (c) the architect has gone to considerable lengths to work on the details of the scheme to ensure that they are of a high quality. With that attention to detail, it is now felt that this is a scheme that planning colleagues can recommend.

There were a number of questions and comments from Councillors, and Martin Poole and Nigel Turpin provided some additional information:

- (d) there was some disagreement from Councillors regarding the aesthetics of the new scheme. Some Councillors felt that it was very unattractive, whilst others disagreed with this assessment and felt that the re-submission is an improvement on the previously agreed scheme;
- (e) some Councillors felt that the proposed colour blocks of the scheme gave it a brutalist feel, and that the colours of the scheme should be re-assessed. The message can be fed back to check the colour palette once the brick details are received;
- (f) some Councillors felt sufficiently reassured by the strong river view of the scheme, and the details produced by the developers;
- (g) the detailing on the balconies, the fluted brickwork, and the recessed elements give the face some interest, and the details are what will make the scheme successful;
- (h) the road towards the river side of the scheme does have some on-street parking and so is not merely a service road. It may also be used for access should any future scheme be proposed in the neighbouring dairy site. Some Councillors proposed that the road would benefit from a little more greening, and this will be fed back;

**RESOLVED:**

- (1) to grant planning permission subject to:**

- (a) **prior completion of a variation of the Section 106 Agreement dated 28 October 2015 relating to planning permission 13/02877/PFUL3 to make it also apply to this application and permission;**
  - (b) **the indicative conditions listed in the draft decision notice at the end of the report with the power to determine the final details of the conditions to be delegated to the Chief Planner;**
- (2) **that Councillors are 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;**
- (3) **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.**

**Councillors Joshua Cook, Michael Edwards, Andrew Rule and Malcolm Wood asked that their votes against the above decision be recorded.**