



Additional / To Follow Agenda Items

This is a supplement to the original agenda and includes reports that are additional to the original agenda or which were marked 'to follow'.

Nottingham City Council Planning Committee

Date: Wednesday, 17 March 2021

Time: 2.30 pm

Place: Remote - To be held remotely via Zoom -
<https://www.youtube.com/user/NottCityCouncil>

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Agenda

Pages

4c Update Sheet

3 - 10

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PLANNING COMMITTEE

UPDATE SHEET

(List of additional information, amendments and changes to items since publication of the agenda)

17 March 2021

4(a) 406 and 408 Derby Road and Northern Dairies LTD, Radmarsh Road, Nottingham

1. A revised energy statement has been submitted which sets out the measures proposed to further enhance the carbon reduction and sustainability credentials of the development, which include the following:
 - The creation of an overall site wide energy strategy.
 - The use of 380 sqm of PV's on the PBSA buildings and 350sqm of PV's to the commercial building.
 - Through revised thermal modelling across the whole development and the introduction of PV's the development can deliver a 31.5% improvement above current Building Regulations Part L2A. This includes a saving in carbon emissions of 63 tonnes due to the inclusion of PV panels on both parts of the building.
 - The buildings have been designed using fabric first principles with the walls being 34% better than Part L2A requirements, floors being 20% better and the roofs 40% better. These figures have not been exceeded due to the building being naturally ventilated and to meet cooling requirements.
 - Ground Source Heat Pumps (GSHPs) were considered as part the review of available zero and low carbon technologies. It was concluded that this particular site would not be suitable for GSHP's due to the fact it being within the floodplain, the site not being large enough to provide sufficient horizontal loops, and the foundation design not being suitable to vertical loops. Finally, the load profile of the building is such that there is no appreciable cooling load within the building which means there would be no way of replenishing the thermal heat within the ground, which will lead to the ground freezing year-round and eventually the GSHP's being unable to extract further heat. Air source heat pumps are still a low carbon technical solution are the favoured solution for this scheme.
 - The student accommodation has been specifically designed to be an all-electric solution. Corporate electrical supply agreements guarantee that all Unite developments are sourced from renewable energy suppliers. The use of the Prefect IRIS Controller to the heating system further prevents energy wastage by providing absence detection and a response to windows being left open.
 - The PBSA element of the scheme have already targeted and achieved a pre-assessment BREEAM Excellent rating. The commercial building too has been designed to enable the building to achieve an BREEAM Excellent rating.

2. A waste management strategy has been submitted with the application. Based on current British standards, the student accommodation is likely to generate 49,000l of waste per week and the commercial building approximately 58,806l per week. Given the potential volume involved the most suitable container for the general waste and recycling streams is a combination of 1,100l Eurobins and 240l wheelie bins. This would equate to the following for each element of the development:

- For the PBSA: 24 x 1,100l + 1 x 240l
- For the commercial element: 10 x 1,100l
- Development total: 34 x 1,100l + 1 x 240l

The waste from the student accommodation would be collected twice weekly. It is envisaged that the frequency of the collections for the commercial use would be arranged after occupation, based on the actual waste generation volumes. Each unit of student accommodation would be provided with four bins (general waste, mixed dry recyclables, glass and a small recipient for food). It is the responsibility of residents to store and segregate waste into four main streams internally before taking it to the closest communal waste storage room, conveniently located close to the core of each of the residential blocks. The building management company would be responsible for carrying the bins to the collection point on collection day, and their return upon emptying.

3. The Student Management Plan includes details (Section 7) on how student drop-offs and pick-ups would be managed. A staggered two week arrival time slot would be in place at the start of each academic year. After drop off, customers would be directed to alternative suitable medium to long stay car parking locations within the Jubilee Campus and nearby car parks. Correspondence would be issued prior to arrival, including a map, and at the main access points there would be Unite staff directing customers. Previously, Unite have utilised the Jubilee Campus car parks for onward parking once cars have been unloaded as part of the Riverside Point arrivals process. The applicant would seek similar arrangements for this site.

The Management Plan also sets out that there would be 24/7 on-site management and that Unite would appoint a dedicated community liaison lead, who would be a direct point of contact for anyone within the wider community. As part of the residents' tenancy agreements, all students are expected to behave respectfully towards their fellow students and the surrounding neighbourhoods.

4. A further representation has been submitted via a ward councillor from the chair of the Lenton Drives and Neighbours Residents Association. They comment as follows:

In Lenton and Wollaton East we feel like we are fighting a losing battle. Some feel like the council and the Universities are happy to squeeze us out so that Lenton becomes accepted as an extension of campus. Despite the residents here paying our council taxes like all other residents - little is done to rectify the huge imbalance in our community. Many feel that the council and universities secretly rub their hands together in glee every time an article in Nottinghamshire Live reports more permanent residents wanting to sell up and leave the area.

Could you please pose the question to the committee 'Do other members of the committee support the New Local Plan?' Because if they do, the local plan aims at creating balanced communities. In aiming to produce balanced communities, the local plan considers a limit of just 10% HMOs in an area to be acceptable. We have nearer 70% HMOs in our already saturated neighbourhood. Although the PSBA is a

different type of accommodation, it still has the same effect of creating further imbalance in the makeup of our community. The design of the Unite development attracts largely first years and does nothing to draw those 2nd and 3rd years out of HMOs so does not free up family homes. It simply brings hundreds more students into the HMO market for the following year, which is why every summer, local landlords are still adding extensions up, down to the back and side, increasing bed spaces in the area still further.

The mental health and wellbeing of many Lenton and some Wollaton East residents is being severely impacted by increasing noise and ASB which in turn impacts on physical health. We know that it is only a minority of students causing issues. However, a minority (say 5%) of 65000 is 3250 and if the majority of that minority live in 2 areas ie. LWE and Arboretum - that means 2 small communities have over 1500 individuals causing anti-social behaviour on their doorstep all year round. Surely it is not fair to then add more.

We need our elected council to support us and do all they can to bring about positive change in our community. This will not happen if large PSBAs continue to get the green light. This type of design is not alternative accommodation for students - it is additional accommodation simply increasing the imbalance. Please do not grant permission.

Comments:

- 1. Condition 15 of the draft decision notice requires further details of the sustainability measures to be incorporated within the development to reduce carbon emissions, to be submitted for approval.**
- 2. Condition 28 of the draft decision notice requires the details of a Site Waste Management Plan to be submitted for approval.**
- 3. Condition 24 of the draft decision requires a Student Traffic Management Plan be submitted for approval. This will build on the contents of the submitted Student Management Plan.**
- 4. The issues raised are addressed in the report.**

4(b) Wollaton House, 43 Radford Bridge Road

Since completing the committee report additional representations have been received from local residents objecting to the proposed recommendation. A summary of their additional comments is listed below and includes comments received by the Head of Planning and Regeneration, the Chair and Vice Chair of Planning Committee.

One resident (4 emails) has stated that they feel let down by the Planning Department, residents have not been kept informed, the report is inaccurate and there has been a lack of transparency regarding the application. Their concerns in addition to those contained in the main report are summarised below:

1. The reports falsely states that only 25 objections were received (page 4 of the report). This did not include an additional 70 plus objections/households collected from local residents in the area (list form with signature and comment). This has been treated as a petition and the local residents' requests that this is corrected to 70 plus households (equating to the objection by hundreds of residents).
2. The local resident the statement that 83 people signed the petition is misleading, for the reasons outlined above.
3. Many of the 24 comments received in support of the application are not close neighbours of the Centre and should be discounted.
4. The proposed operating hours are seen to be misleading and do not equate to the Muslim prayer calendar for Nottingham. They do not take account of opening 15 minutes earlier before prayer. It is also claimed that the last prayer will be around 10.30 pm, which is felt to be incorrect. It is queried why the hours of opening in October are proposed to be extended to 11pm when no prayers take place after 9pm.
5. In Condition 2 of the draft decision notice one of the timings refers to 'between 9 pm and 11.30pm' This is seen as a clear admission from the planning department that requested hours are inaccurate and the Centre will be closing much later. And more importantly, that planning is misinforming Committee.
6. Point 7.17 fails to mention that Highways initially strongly objected the application in 2011 and 2012 and only after some 'additional information, the resident call this 'lobbying', did they recommend approval. This has been stated in previous reports and they question why this information has been withheld.
7. There is no mention that the recently submitted Travel Plan submitted to discharge condition 1 of the 2012 application. The Plan contained highly inaccurate information and residents forwarded information about traffic accidents due to the Centre activities and the recent photos of traffic. Despite residents asking to be kept informed, the new amended plan (assuming the old one from October was amended) has not been made public. Additionally, the application to discharge the travel plan still has pending consideration status (as of Sunday 14 March 2021).
8. The fact that officers verified that the back extension is used for storage does not mean anything. The building is still attached to the main one and only some side panels were removed. The use of the building should be verified during Ramadan time.
9. Comments in support of the application regarding the Crown Public House should be discarded. They are considered to be inconsistent and not made by residents of Radford Bridge Road.
10. Applicant and those who support the application do not understand that the Centre is not a mosque and their comparison to mosques in the city is invalid.

11. Calling the property Wollaton Hose is misleading, as it is the Muslim Cultural Centre, and it does not serve the local community. This is seen to conceal its true nature, which is seen as nearly 24-hour access to the Centre.
12. The report does not mention that the Centre is active in the early evenings for children's education classes which causes additional disruption to residents from general disturbance, traffic generation and parking.
13. Concern is raised over the exclusion of the Ramadan period from the original opening hours of the Centre as part of the 2012 application. They query whether Environmental Health commented on its exclusion and why residents were not consulted.
14. A request that the consideration of any subsequent application for the extension of the Centres hours of opening are considered by Planning Committee and not delegated to Officers.
15. Request for Environmental Health to attend the meeting.
16. Attention is drawn to a recent planning application at 173 Loughborough Road in West Bridgford that was refused by Rushcliffe Councillors at their Committee in November 2020 despite being recommended for approval by officers.

Eleven additional objections have been received from other local residents. Their concerns reinforce those summarised in the main report.

- The history of complaint, breaches in planning permission, traffic, parking and noise disturbance. The proposed extension to its hours of use will exacerbate these problems and further impact on residents health and wellbeing.
- The proposed operating hours do not conform to standards that would ordinarily be considered acceptable for non-residential premises in a designated residential area.
- The recommendation goes against the objections raised by Environmental Health and Safer Places.
- Alternative Places of Worship for early and late prayers.
- The Ramadan period: disturbance and lack of consultation.
- Current parking and traffic problems on Seafood Avenue.
- The proposed hours do not take account of the opening and closing of the Centre.
- Inaccuracies contained in the Travel Plan.
- Request that if approval is granted that a residents parking scheme is progressed in tandem for surrounding streets.

A further petition signed by 24 residents of Westhay Court has also been received. They wish to confirm their continuing objection to the application.

Finally a copy of letter which has been hand posted to local residents have been received, which requests residents to send further objections to the Chair and Vice Chair. It states that proposed extension of hours of use is from 06:30am to 11pm daily (with 24 hour use during the month of Ramadan). Concern was expressed that this is incorrect and could spread misinformation.

Comments *In response to residents comments:*

- ***Members are being asked to consider the proposed application for the extension of the Centres hours of opening from 6:30am to 11pm daily (subject to seasonal variation), with the exception of the Ramadan period. The proposed hours of opening are stated in full in paragraph 4.3 of the main report and include arrival and departure of attendees.***

The Centre has been operating as a Prayer and Learning Centre since planning permission was granted in 2013 (for the 2012 planning application 12/01800/PVAR3) and as such its current use is not in dispute and do not form part of the consideration of the current application. The use of the Centre for Friday prayer, its use during the Ramadan period and activities such as educational evening classes fall within this permitted use and its restricted opening hours.

- **Condition 1 relating to the commencement of the one year planning permission has been amended to reflect consideration of the application at the March 2021 meeting of Planning Committee to read as follows:**

“The hours of opening set out in condition 2 shall cease on or before 31st March 2022 and opening hours shall thereafter return to the hours of opening approved under planning reference 12/01800/PVAR3 unless upon subsequent application the Local Planning Authority grants a further permission.”

- **An error in one of the timings set out in Condition 2 of the draft decision notice has been identified by local residents. The amended wording is underlined and the correct wording of condition 2 is set out below:**

“With the exception of the period of Ramadan, the Learning and Prayer Centre shall not be open to the public outside the following hours:

January	7.00am - 9:00pm
February	6.30am - 9:00pm
March	9.00am - 11.00pm
April	9.00am - 11.00pm
May	9.00am - 11.00pm
June	9.00am - 11.00pm
July	9.00am - 11.00pm
August	9.00am - 11.00pm
September	9.00am - 11.00pm
October	6.30am - 11.00pm
November	6.30am - 9:00pm
December	7.00am - 9:00pm

Between the hours of 06:30am to 09:00am and 9:00pm and 11:00pm the Learning and Prayer Centre shall only be used for the purposes of prayer.

- **For clarification 44 individual objections have now been received, which include the original 25 individual objections, a further 14 individual objections (9 from one local resident) reported to July Committee as part of the update report, and together the 5 additional individual local residents objections reported above. All comments have been summarised in the main report and in this update.**
- **The main report states that a petition signed by 83 residents was received, which also included a summary of signatories' comments. It is noted that the resident states that this relates to household addresses.**

Please note the further petition signed by 24 residents of Westhay Court has also been received.

- ***Publicity of all planning applications includes notification of the wider local community. All comments received whether in objection or in support are summarised in the main report.***
- ***The consultation response from Environmental Health and Safer Places and the concerns they raise form part of the main report.***
- ***Condition 1 of the 2012 planning application (12/01800/PVAR3) has now been discharged and relates to a separate matter which does not form part of the consideration of this application.***
- ***Officers are now satisfied that the timber building to the rear of the main Centre is used for storage purposes and is sufficiently separated to not be used in association with the main activities of the Centre.***
- ***The correct postal address of the Centre is Wollaton House, 43 Radford Bridge Road.***

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