



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 – Revised Supplement Agenda

Date: Wednesday, 22 June 2022

Time: 2.30 pm

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG

Governance Officer: Catherine Ziane-Pryor **Direct Dial:** 0115 876 4298

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PLANNING COMMITTEE

REVISED UPDATE SHEET

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

22 June 2022

4(a) Forest Mill

The proposal has been revised during the life of the application with the block of apartments amended to 19 houses. This is currently the subject of further consultation with neighbouring residents, which therefore needs to be addressed in the Recommendation.

Officer Comments

To address the above, the Recommendation is revised as follows:

GRANT PLANNING PERMISSION subject to:

- a) No material issues arising from the re-consultation exercise associated with the amended element of the proposed development comprising the 19 new dwellings***
- b) Prior completion of a planning obligation which shall include:***

4(b) 28 - 32 Hall Street, Nottingham

Further Responses

Highways: No objection subject to conditions and informatives. Conditions to include Construction Traffic Management Plan, provision of cycle spaces, and residential travel packs. This proposal is unlikely to be detrimental to public highway as the site is sustainably located being within walking distance of frequent bus services on Mansfield Road and many local shops and facilities. As such any potential occupants of the proposed flats will not require a car, and given the nature of the development, it is envisaged that car ownership will be very low. The site benefits from 2 no. existing off street parking spaces that were formerly used as light goods/public carrier vehicle spaces when the site was last used as offices and distribution centre. The former use is likely to have generated more traffic and parking demand as is proposed in this instance, as such the highway impact is likely to be negligible.

Neighbour Response: Councillors are further advised in relation to an objection letter submitted by Marrons Planning on behalf of a neighbour to the proposed development. The copy of the response by Marrons Planning is also attached to this update sheet.

The objection letter provides a professional assessment of the proposed development having regard to the adopted policies and guidance, concluding that the application fails to deliver on the requirement for a high quality design and as such is in conflict with the policies and guidance.

The objection letter comments of the following issues:

Design

The proposal extends the height over a much larger area, both in depth and width creating a significantly larger building both in mass and scale.

It would relate poorly to the existing street scene, character of the area and neighbouring properties and will result in an incongruent feature within the street scene to the detriment of the visual amenity of the area.

Its poor design and relationship is exacerbated by an ill-considered roof design which incorporates a number of large flat roofs and would appear as an inappropriate feature within the street scene to the detriment of visual amenity.

The poor design takes little consideration of the existing property features or character of the surrounding area and fails to include any high quality architectural detailing.

Amenity

The assessment advises that, due to its height and proximity to neighbours the proposal would also inflict an unacceptable impact on the amenity of neighbouring properties both in terms of dominance, overbearing impact and loss of privacy.

The proposed east elevation would result in an extremely large flank wall along the majority of the boundary with the neighbouring spiritualist church. Although stepped back and rendered white, given the sheer scale of the wall, its height and depth and close proximity to the boundary, it is still likely to have a significant detrimental impact on the outdoor amenity of the spiritualist church in terms of dominance and overbearing impact, along with access to natural light within the afternoon and evening.

There would be considerable loss of privacy and overlooking of the rear of 150 Mansfield Street and the proposal therefore fails to achieve a neighbourly relationship.

Car Parking

It is not considered the current parking provision will be sufficient to meet the needs of the proposed use and the application fails to identify the number of staff to be employed. Vehicles would be displaced onto the highway exacerbating the current on street parking issues within the area.

The proposed parking spaces fail to provide adequate pedestrian visibility splay, which would result in an unacceptable highway safety risk, especially given the proposed use and proximity to a main entrance.

Other Matters

A detailed Management Plan should be required to explain how noise and disturbance for both existing and future residents can be mitigated

Nottingham Spiritualist Church: This application directly affects us and we strongly object to the lack of contact and total disrespect shown.

Officer Comments

The response from Highways is noted and additional conditions and informatives are to be included.

The summary and copy of the Marrons Planning response on behalf of a neighbour to the proposed development is provided for further consideration by Councillors. Officer appraisal of the proposed development is provided in section 7 of the Committee report where the issues raised are discussed.

The comment of Nottingham Spiritualist Church is noted. The property address of the church was individually notified by letter. Reference to the amendment of the layout and design of the proposed development in relation to the church garden to the rear is made in para 7.8 of the Committee report.

(Additional background papers: Marrons Planning letter 3.5.22, Highways response, 17.6.22, Nottingham Spiritualist Church, 20.6.22)

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This matter is being dealt with by
Jacqueline Jackson

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FAO Mr. Jim Rae

Our ref: 2003100.1

Planning Department
Nottingham City Council

Your ref: **21/02693/PFUL3**

3rd May 2022

By email to: jim.rae@nottinghamcity.gov.uk
& planningcomments@nottinghamcity.gov.uk

Dear Mr. Rae,

FORMAL OBJECTION to planning application ref: 21/02693/PFUL3

Proposal: Partial demolition and extension and conversion to form 13 supported living dwellings with staff/communal spaces. External area to provide 2 parking spaces, amenity space, and secure bin and cycle stores

Site: 28 - 32 Hall Street Nottingham NG5 4AS

1. We write on behalf of Mr. Long (“our client”), the owner and occupier of No. 160 Mansfield Street, Sherwood, Nottingham, NG5 4AU.
2. As a nearby neighbour to the site, the impact of poor design, lack of onsite parking and proposed use, will result in adverse impacts on our client and other local residents. This representation provides an analysis of those impacts and should be given due weight in the Council’s decision making. We request that this letter is added to the Planning Register as an **objection** to the application.
3. We have carried out an assessment of the planning application against the policies of the Council’s Development Plan and adopted design guidance. We have identified a number of significant issues. If the application were to be granted in its current form, the development would conflict with the Development Plan and have significant adverse impacts upon the visual amenity and character of the area, along with a detrimental impact on the residential amenity of nearby neighbours.

4. Our client wishes to **object** to the development on the following grounds:
- Due to the proposals poor design, the development would result in a detrimental impact and harm the visual amenity of the street scene and character of the area.
 - The development as proposed would result in an unacceptable impact on amenity.
 - The development due to insufficient off street parking provision and pedestrian visibility splays would result in an unacceptable impact on highway safety.

Poor Quality Design

5. The Development Plan for Nottingham City comprises the Greater Nottingham Aligned Core Strategies - Part 1 Local Plan (Sept 2014) and Nottingham City land and planning policies Development Plan Document - Local Plan Part 2 (Jan 2020). The adopted Design Quality Framework, including the Housing Design Guide and Facades Design Guide, are also relevant to this application.
6. Policy 10 of the Greater Nottingham Aligned Core Strategies - Part 1 Local Plan (Sept 2014) states that all new development should make a positive contribution to the public realm, creating attractive environments and reinforce valued local characteristics. It goes on to highlight how development will be assessed in terms of its treatment of particular elements, including;
- a) *structure, texture and grain, including street patterns, plot sizes, orientation and positioning of buildings and the layout of spaces;*
 - d) *massing, scale and proportion;*
 - e) *materials, architectural style and detailing*
 - i) *the potential impact on important views and vistas, including of townscape, landscape, and other individual landmarks, and the potential to create new views; and*
7. Policy 10 of the Greater Nottingham Aligned Core Strategies - Part 1 Local Plan (Sept 2014) also requires developments to have regard to the local context including townscape characteristics.
8. Policy DE1: Building Design and Use, of the Nottingham City land and planning policies Development Plan Document - Local Plan Part 2 (Jan 2020) sets out what criteria planning applications will be considered against. This criteria includes *whether the development would respect and enhance the streetscape,*

local environment, townscape and character of the area, and in particular its established scale, massing, rhythm, landscape (including ridge lines), historic views and materials. Whether a satisfactory level of amenity would be provided for occupiers of the development and/or occupiers of neighbouring properties. In assessing this, consideration will be given to issues such as privacy, daylight, sunlight, outlook, scale/massing, security, odour, dust, noise, vibration and nuisance.

9. Policy D21: Context and Place Making, of the Nottingham City land and planning policies Development Plan Document - Local Plan Part 2 (Jan 2020) recognises that development proposals should help to reinforce and enhance positive characteristics and create attractive new places and. To deliver its aims, the policy sets out a range of criteria which new proposals are 'expected' to meet, including, being of high urban design quality.
10. The Nottingham Design Quality Framework is a series of guides to ensure new development is of high quality. Each guide sets out its own design criteria highlighting the importance of design and the need for careful consideration around concepts such as; urban grain, massing, proportions, geometry, materials and design details.
11. The National Planning Policy Framework (NPPF) 2021 expects the creation of high quality buildings and places, which are fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and helps to make development acceptable.
12. Paragraph 130 of the NPPF expects planning decisions to ensure that developments create places that function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive as a result of good architecture, layout and is sympathetic to local character.
13. Paragraph 134 of the NPPF directs local planning authorities refuse applications for development which is not well designed. Especially where it fails to reflect local design policies and government guidance on design.
14. The National Design Guide provides further guidance on the governments aspirations to create high quality buildings and places. This document highlights the importance of scale, form, mass and appearance in order to achieve high quality design.
15. In our professional assessment, the application fails to deliver on the requirement for a high quality design and as such conflicts with the policies and guidance set out above. The reasons for this judgment are set out below.

16. The proposal comprise of a significant 3 storey building, which is considerably taller than other buildings within the locality. Whilst the supporting documents argues the proposed dwelling is only marginally higher than the existing building, it fails to recognise that only a small proportion of the existing building is of this height, with the majority of massing below two storeys. The proposal extends the height over a much larger area, both in depth and width creating a significantly larger building both in mass and scale.



1 Existing Elevation 1
1 : 100



PROPOSED NORTH ELEVATION
South facing

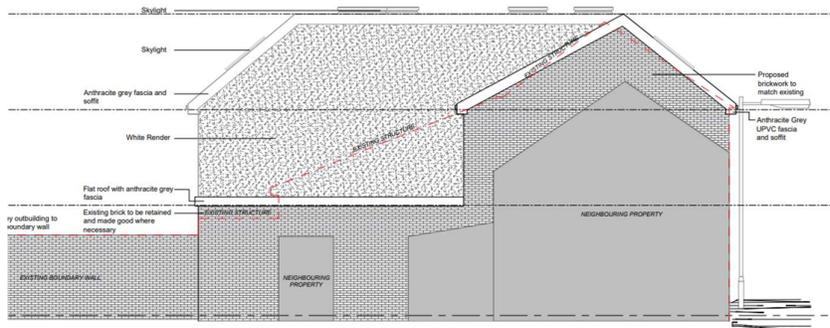


4 Existing Elevation 4
1 : 100



17. The proposed building relates poorly to the existing street scene, character of the area and neighboring properties. Accordingly due to its mass, scale, height and poor relationship with the immediate neighboring properties, the proposal will result in an incongruent feature within the street scene to the detriment of the visual amenity of the area.

18. This poor design and relationship is exacerbated by the ill-considered roof design which incorporates a number of large flat roofs, including one at second floor level, along with a an asymmetrical roof line which incorporates a variety of roof pitches, which appear contrived and at odds with the prevailing character of the area. This poorly designed roof would be particularly visible given its prominent corner location and height of the building. Due to its excessive height, the roof profile will also be visible over the ridge of the much lower spiritualist church, located adjacent to the application site (see plans below). This contrived, poorly designed proposal will, due to its height, scale and mass, appear as an inappropriate feature within the street scene to the detriment of visual amenity and does not represent the high quality design requirements of the Development Plan, adopted design quality framework or national policy and guidance.

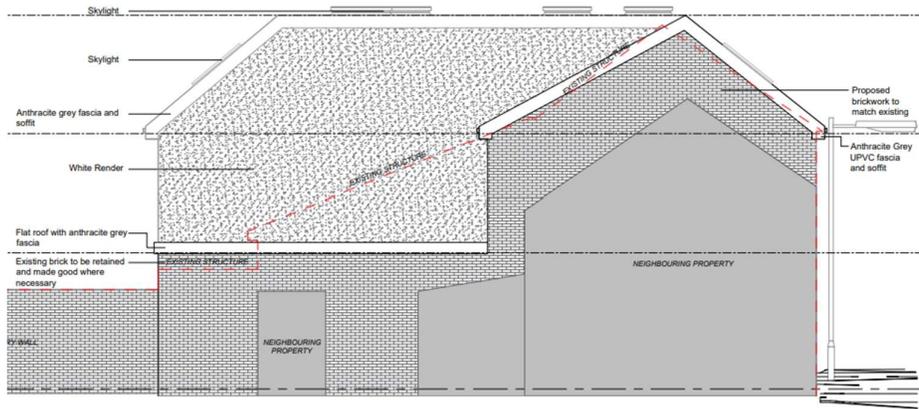


19. To compound the poor design, (which takes little, if any consideration, of the existing property features on the site or character of the surrounding area), the proposed building fails to include any high quality architectural detailing.

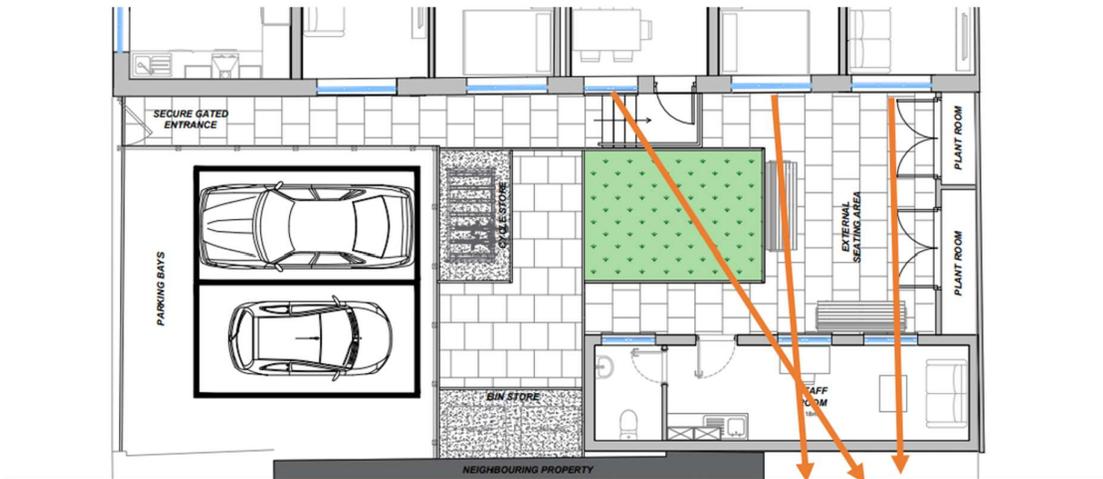
20. For the reasons set out above, it is considered the scale, mass and design of the proposed development would appear out of character with the locality. This along with the poorly designed roof and lack of high quality detailing, would result in a very poor quality development, which fails to maintain or reflect local character. Accordingly the development would result in an incongruent feature within the street scene which would be significantly detrimental to the visual amenity of the area.
21. The proposal would be **contrary to policies P1, DE1 and DE2 of the adopted Development Plan Documents** and planning permission should be refused accordingly. The proposal would also fails to meet the high quality design aspirations of Nottingham city council as set out in it Design Quality Framework, or that of the Government as set out in the NPPF and National Design Guidance.

Amenity – Overbearing sense of enclosure & loss of privacy

22. Policy DE1: Building Design and Use, of the Nottingham City land and planning policies Development Plan Document - Local Plan Part 2 (Jan 2020) sets out what criteria planning applications will be considered against. This criteria includes ensuring a satisfactory level of amenity would be provided for occupiers of the development and/or occupiers of neighbouring properties. In assessing this, consideration will be given to issues such as privacy, daylight, sunlight, outlook, scale/massing, security, odour, dust, noise, vibration and nuisance.
23. Paragraph 130 of the NPPF states that new development proposals should create places that promote health and well-being and a high standard of amenity for existing and future users.
24. Due to its height and proximity to neighbours the proposal would inflict an unacceptable impact on the amenity of neighbouring properties both in terms of dominance, overbearing impact and loss of privacy.
25. For example, the proposed east elevation would result in an extremely large flank wall along the majority of the boundary with the neighbouring property. Whilst it is recognised that part of this wall will be stepped back and rendered white, given the sheer scale of the wall, its height and depth and close proximity to the boundary, it is still likely to have a significant detrimental impact on the outdoor amenity and reflection area for the spiritualist church in terms of dominance and overbearing impact, along with access to natural light within the afternoon and evening.



26. Similarly, given the proposal would result in 1st and 2nd floor habitable room windows less than 8 metres away from the boundary with 150 Mansfield Street, considerable loss of privacy and overlooking would be result to the rear (currently private) amenity area of this property to the detriment of the residential amenity to the occupiers and future occupiers of this dwelling.



27. Accordingly, the proposal fails to achieve a neighbourly relationship and conflicts with relevant policies from the Development Plan and the NPPF 2021. The overall design of the proposal in terms of scale, mass and height would constitute an overbearing addition which would fail to safeguard the amenity of immediate occupiers, resulting in significant loss of privacy and amenity.

Lack of off street parking

28. The current site has a significantly larger parking area than the current proposal. The current proposal only includes 2 off road parking spaces, and whilst it is recognised that the existing use of the site was commercial, the current application proposes 13 residential units along with 24 hour employment/support provision. Accordingly it is not considered the current parking provision will be sufficient to meet the needs of the proposed use.
29. The application form fails to identify the number of staff to be employed at the proposed development (as required). Without this information it is suggested that no reliable assessment as to the required parking provision can be made. The applicant should be required to provide a Stage 1 Road Safety Audit to address the evident deficiencies, underpinned by a parking capacity survey.
30. Finally due to the new security fence and gate the parking spaces fail to provide adequate pedestrian visibility splay, which would result in an unacceptable highway safety risk, especially given the proposed use and proximity to a main entrance.
31. There is an unacceptable under-provision of off street parking spaces is insufficient to meet the needs of the proposed development. It is a cramped over development of the site which would result in poor quality living conditions for the 13 residents. The lack of parking provision for their visitors and members of staff (numbers unknown) on site 24 hours a day is plainly unacceptable. Vehicles would be displaced onto the highway exacerbating the current on street parking issues within the area. The significant increase of on street parking and the failure of the proposal to provide adequate pedestrian visibility splays, will result in an unacceptable impact on highway safety, contrary to para 109 of the NPPF (2021).

Other Matters

32. Concerns have also been raised regarding the lack of information relating to the proposed use and the management of the facility. Given the high density and cramped nature of the scheme, an intensive and detailed Management Plan is required to explain how noise and disturbance for both existing and future residents can be mitigated. From reviewing the evidence, we have little confidence that the new residents (who are likely to be vulnerable) are being appropriately safeguarded. A thorough Management Plan should be requested from the applicant prior to determination to the scheme the interest of residential amenity and wellbeing of residents.

Conclusion

33. For the reasons set out above, we consider that the overbearing scale, mass and poor design the proposed development would appear out of character with the locality. This along with the poorly designed roof and lack of high quality detailing, would result in a very poor quality development, which fails to maintain or reflect the local character. Accordingly the development would result in an incongruent, discordant and over-sized feature within the street scene which would be significantly detrimental to the visual amenity of the area. In addition the scale mass, design and proximity to neighbouring properties would result in an unacceptable and significantly detrimental impact on amenity in terms of over bearing impact, dominance, loss of light and loss of privacy. Finally the development lacks off street parking to meet the needs of the proposed use and fails to provide acceptable levels of pedestrian visibility immediately adjacent to a main entrance into the development which would result in an unacceptable impact on highway safety.
34. Accordingly the proposal would be contrary to policies P1, DE1 and DE2 of the adopted Development Plan Documents or the advice contained within the NPPF and planning permission should be refused accordingly. The proposal would also fail to meet the high quality design aspirations of Nottingham City Council as set out in it Design Quality Framework, or that of the Government as set out in the NPPF and National Design Guidance
35. Thank you for taking the time to consider the objections and concerns of my client. If there are any queries pursuant to this letter, then please do not hesitate to contact Jacqueline Jackson on the contact details below.

Yours sincerely,

J Jackson

Jacqueline Jackson MRTPI

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cc. Mr Long



Marrons Planning is a business name of Shakespeare Martineau LLP

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