

Nottingham City Council

Planning Committee

**Minutes of the meeting held at Loxley House, Nottingham on 21 February 2024
from 2.00 pm - 3.58 pm**

Membership

Present

Councillor AJ Matsiko (Chair)
Councillor Sam Lux (Vice Chair)
Councillor Graham Chapman
Councillor Kevin Clarke
Councillor Faith Gakanje-Ajala
Councillor Imran Jalil
Councillor Kirsty L Jones
Councillor Anwar Khan
Councillor Gul Nawaz Khan
Councillor Pavlos Kotsonis (items 31-34)
Councillor Ethan Radford
Councillor Samina Riaz

Absent

Councillor Sam Harris
Councillor Naim Salim

Colleagues, partners and others in attendance:

Ann Barrett	- Team Leader, Legal Services
Gillian Bradbury	- Business Development and Technical Support Manager
Lisa Guest	- Principal Officer, Highway Development Management
Rob Percival	- Area Planning Manager
Martin Poole	- Area Planning Manager
Paul Seddon	- Director of Planning and Regeneration
Nigel Turpin	- Heritage and Urban Design Manager
Phil Wye	- Governance Officer
Councillor Corall Jenkins	- Ward Councillor for St Ann's
Councillor Hayley Spain	- Ward Councillor for Clifton West

31 Apologies for Absence

Councillor Sam Harris – work commitments

32 Declarations of Interests

Councillor Anwar Khan declared an interest in agenda item 4b (minute 35) because he is a Ward Councillor for St Anns and felt that this would affect his ability to make an unbiased decision. He left the room prior to discussion and voting on this item.

33 Minutes

Councillor Gul Nawaz Khan stated that he had given apologies for the meeting in January, as well as the meeting in December 2023. With this addition, the Committee confirmed the minutes of the meeting held on 17 January 2024 as a correct record and they were signed by the Chair.

34 Land Northern Parcel Between Clifton Wood And Clifton Phase 4 Development Yew Tree Lane Nottingham

Rob Percival, Area Planning Manager, presented application 23/00674/PRES4 by Avant Homes Midlands Homes for the approval of reserved matters (site layout, scale, appearance and landscaping) of outline planning application 18/00056/POUT (resubmission of 22/00642/PRES4) - for 265 dwellings with associated infrastructure and public open space.

A presentation was delivered which included indicative images of the proposal, and the following points were highlighted:

- (a) outline planning permission was conditionally approved at a Planning Committee meeting on 19 December 2018 for residential development of the site, with access arrangements being the only detailed matter submitted for approval at that stage. The submission included an illustrative masterplan which indicated how up to 278 dwellings could be accommodated on the site;
- (b) Within the LAPP the site is allocated for family housing (Allocation SR49) with the access to the site from Hawksley Gardens and Finchley Close being safeguarded under Policy TR2.16 of the LAPP;
- (c) the main access to the site is to be through the existing Barton Green estate. Existing access to the estate is taken from the A453 Trunk road, at the Crusader roundabout, onto Hartness Road, which forms the sole existing distributor road serving the Barton Green estate. From Hartness Road direct access to the site is to be via an extension to Hawksley Gardens, which currently forms a cul-de sac serving approximately 36 properties. An additional (emergency only) access is to be built off Finchley Close, a further cul-de-sac serving approximately 14 properties. Both accesses are to cross the existing bridleway, which runs along the western boundary of the estate, via appropriate crossing facilities at these points;
- (d) it is proposed to develop the site with 265 dwellings comprising 16 x one bedroom, 57 x two bedroom, 105 x three bedroom, 82 x four bedroom and 5 x five bedroom dwellings. These are to provided as a mix of detached, semi-detached and terraced houses, all with associated parking. The dwellings are largely 2 storey in height, with some 2.5 storey dwellings (incorporating rooms in the roof and dormer windows), and of broadly traditional design with brick facades and pitch tiled roofs;
- (e) the layout has evolved the principles of the masterplan and proposes character areas that are defined by a street hierarchy. There are five Character Areas comprising the 'Gateway' at the entrance of the site, the 'Main Street' which forms the main vehicular route through the site, the 'Green Edge' which surrounds the edges of the development, the 'Boulevard' which runs either side of the central

retained trees and hedgerow, and the 'Central Core' streets at the centre of the layout;

- (f) a key feature of the layout and landscape proposals is the creation of a green edge to all boundaries of the site, with new residential areas and streets set within this. This includes an undulating green buffer along the western edge of the site with Clifton Woods that would have a minimum width of 15m, retention of the central spine of mature trees and, the creation of a green space and a surface water attenuation pond to the northern entrance to the site;
- (g) the outline planning permission was subject to many technical conditions which would be discharged by Officers once the relevant details were received and which were not therefore matters for the Committee's consideration. Whilst a large number of representations had been received some of those representations referred back to the principle of development which has already been decided by the grant of outline permission and others to matters which relate to the discharge of conditions. These matters were not relevant to the application for reserved matters approval which was before the Committee for consideration.

Prior to the Committee's discussion and consideration of this item, Councillor Hayley Spain addressed the Committee in her role as a Ward Councillor and made the following points:

- (h) access to the site is a major concern to the residents of the Barton Green Estate both generally and especially during construction. If this is to be through the estate, this will involve up to 6 years of construction traffic with noise, dust and debris along with increased congestion. There will be issues for residents in accessing their own homes and further impact on parking if double yellow lines are introduced outside residents' houses;
- (i) an alternative access solution has been proposed from Mill Hill Island and Fox Covert Lane. It is understood that discussions on this matter are ongoing as the route crosses private land;
- (j) the bridleway is in frequent use and the proposals for its crossing, such as the horse holding area, are inadequate;
- (k) the proposals may not be sufficient to prevent potential flooding into the surrounding area as the discharge rate appears to be high, and a final drainage strategy has not yet been submitted;
- (l) the transport assessment taken when planning permission was granted is now out of date and should be revisited.

The following information was provided in response by Rob Percival:

- (m) access is not a consideration for the Committee at this meeting and cannot be revisited. There are ongoing discussions between the developers, the Council, and those with a 3rd party land interest regarding the alternative access for

construction traffic but due to the 3rd party land interest it cannot be guaranteed;

- (n) with regard to drainage an additional condition has been recommended to be added to the reserved matters approval (as per the update sheet) as discussions regarding the surface water drainage strategy to be submitted under condition 15 of the outline approval are ongoing. The discharge of conditions is delegated to officers due to their technical nature. At this stage there has been no submission to discharge condition 15, but the Lead Local Flood Authority (LLFA) have raised a number of queries based on the proposed layout for the reserved matters application. The drainage scheme will now be negotiated in the normal manner and condition 15 only discharged once the LLFA are satisfied with the scheme proposed. It is not anticipated that this would result in any significant alterations to the layout. Again the details of the strategy and the discharge of the relevant condition were not matters before the Committee for consideration.

The following points were made during discussion with the committee members:

- (o) it would be in the developer's interest to engage with the Council and establish an alternative route for construction traffic;
- (p) the proposed houses look to be of good quality, with defined windows, lintels, brickwork and walling. However, the use of ranch fencing is to be discouraged and should be replaced with metal or brick boundaries. It is relatively low density compared to other estates, with the 'Central Core' streets being the densest areas;
- (q) neither access or drainage are matters for the Committee's consideration at this meeting, and so a decision should not be deferred or refused on these grounds. If the Committee were to defer their decision pending finalisation of the drainage scheme, or for temporary construction access to be resolved, there is a risk that the developer could pursue an appeal on grounds of the Council failing to determine the application, which could also include an application for costs based on unreasonable behaviour for delaying a decision;
- (r) there is a condition requesting further detail on sustainability measures so it is not known at this time how many of the houses will be provided with air source heat pumps.

Resolved to grant reserved matters approval subject to conditions substantially in the form listed in the draft decision notice at the end of this report and in the update sheet, with power to determine the final details of the conditions to be delegated to the Director of Planning and Transport.

Councillor Kevin Clarke asked for his vote against the decision be recorded.

35 Franciscan Friary Gordon Road Nottingham Nottingham City NG3 2LG

Martin Poole, Area Planning Manager, presented application 23/02071/PFUL3 by Emmanuel House Support Centre for change of use from a 7 bed friary to 7 bed accommodation for vulnerable adults and erection of 3m boundary fence.

A presentation was delivered which included indicative images of the proposal, and the following points were highlighted:

- (a) the application site is a single storey building built in the 1960s as a friary and attached to the older Our Lady and St Edward Catholic Church. The application relates to the friary building; the church is to be retained for parish use. The friary is a flat roofed, brick built, square building with an internal courtyard. The area is largely residential and there are houses to the southeast across Gordon Road. The church is immediately to the northeast and is bordered by Our Lady and St Edward Primary School. Mr Poole advised that it was his understanding that the main pupil entrance to the school is located on Bluebell Hill Road and not Gordon Road;
- (b) the planning application proposes the change of use from a 7 bed friary to 7 bed accommodation for vulnerable adults. The accommodation would be for people who are homeless, with low level needs, to provide a platform to access longer term accommodation. Minor internal works would be required. The applicant has advised that there will be one person on site at all times to help with housing management and general support. There will also be case workers attending Monday to Friday, helping to access housing, benefits, work, and other services;
- (c) the applicant intends to erect a 3m high fence to separate the outdoor area at the rear of the application site from the grounds of the adjacent church. This would separate the grounds of the application site from the grounds of St Edward's School by 10 metres. It is considered that this is appropriate in physically separating the application site from the school such that the school would not be directly adjacent to the site. It is also considered that in this location the height of the fence would be acceptable.
- (d) a considerable number of representations have been received, both for and against the proposal, including a petition containing 216 signatures in objection. As per the update sheet a further sixteen emails have been received objecting to the application since the report was published but these do not raise any further issues of substance to those already raised in the report;
- (e) the relatively small scale of the facility, the satisfactory management arrangements and the consideration that the amenity of existing local residents would not be compromised lead to the conclusion that, on balance, the proposal complies with Aligned Core Strategies Policies 8 and 10 and Local Plan Policies DE1, DE2, HO1 and HO4.

Prior to the Committee's discussion and consideration of this item, Councillor Corall Jenkins addressed the Committee in her role as a Ward Councillor and made the following points:

- (f) residents of the Gordon Road area are not against housing the homeless but see this change of use as inappropriate for this community, as it is an area of young families, adjacent to a primary school and close to two other schools. This would alter the character of the area and have an impact on young, impressionable children;

- (g) previous discussions indicated that the residents would be low to medium risk and this has now been altered to low risk, but it is unclear when and why this was changed. At a consultation meeting with local residents this question was asked but was not answered satisfactorily;
- (h) other members of staff at the school have stated that they are against the proposal, however this application indicated that the school are in support. Clarity should be sought on this matter before granting permission.

Councillor Anwar Khan declared an interest in this item because he is a Ward Councillor for St Anns and felt that this would affect his ability to make an unbiased decision. He left the room prior to discussion and voting on this item.

The following points were raised by Committee Members during the discussion which followed:

- (i) the proposal is aligned to local policies and strategies and seems like a suitable use, appropriate size, and with the correct support in place. It will have a positive impact on homelessness reduction, and prevent needs from getting worse and help to reduce pressures on the Council's statutory duties around homelessness;
- (j) there may be differing opinions on the proposal within the school, but official representation from the Head Teacher has been received and is included in the document pack;
- (k) it is outside of the Committee's remit to judge the potential occupiers, as this is a matter for the providers Emmanuel House. There is no to suggest that they would not be able to manage the facility and residents appropriately. Housing for homeless people has been introduced in similar areas in other wards and these have been managed appropriately with no problems;
- (l) an additional condition could be secured to provide reassurance on management arrangements at the site.

Resolved to grant planning permission subject to conditions substantially in the form listed in the draft decision notice at the end of the report, and an additional condition to require the written submission of a management scheme for approval and its implementation thereafter, with power to determine the final details of the conditions to be delegated to the Director of Planning and Transport