



NOTTINGHAM CITY COUNCIL
PLANNING COMMITTEE

Date: Wednesday 18 December 2019

Time: 2:30pm

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

Councillors are requested to attend the above meeting to transact the following business.

Corporate Director for Strategy and Resources

Governance Officer: Adrian Mann **Direct Dial:** 0115 876 4468

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTERESTS

3 MINUTES

Minutes of the meeting held on 20 November 2019, for confirmation

3 - 10

4 PLANNING APPLICATIONS: REPORTS OF THE DIRECTOR OF PLANNING AND REGENERATION

- | | | |
|----------|---------------------------------------------------------------------|-----------|
| a | Deakins Place, Radford - Student Accommodation | To Follow |
| b | Express Dairies, Meadow Lane - Apartments, Houses and Retail | To Follow |
| c | Radmarsh Road, Lenton - Student Accommodation | To Follow |
| d | Eagle Press, Riverside Way, The Meadows - Apartments | To Follow |

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER SHOWN ABOVE BEFORE THE DAY OF THE MEETING, IF POSSIBLE.

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES.

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT WWW.NOTTINGHAMCITY.GOV.UK. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held in Room LB 31/32 - Loxley House, Station Street, Nottingham, NG2 3NG on 20 November 2019 from 2:31pm to 3:44pm

Membership

Present

Councillor Michael Edwards (Chair)
Councillor Graham Chapman (Vice Chair)
Councillor Leslie Ayoola
Councillor Azad Choudhry
Councillor Kevin Clarke
Councillor Gul Nawaz Khan
Councillor Sally Longford
Councillor AJ Matsiko
Councillor Lauren O`Grady
Councillor Ethan Radford
Councillor Wendy Smith
Councillor Cate Woodward

Absent

Councillor Cheryl Barnard
Councillor Pavlos Kotsonis
Councillor Mohammed Saghir
Councillor Audra Wynter

Colleagues, partners and others in attendance:

Lisa Guest	-	Principal Officer, Highways
Adrian Mann	-	Governance Officer
Rob Percival	-	Area Planning Manager
Paul Seddon	-	Director of Planning and Regeneration
Nigel Turpin	-	Team Leader, Planning Services
Tamazin Wilson	-	Solicitor

18 APOLOGIES FOR ABSENCE

Councillor Cheryl Barnard	-	work commitments
Councillor Mohammed Saghir	-	Council business
Councillor Audra Wynter	-	unwell

19 DECLARATIONS OF INTERESTS

None.

20 MINUTES

The Committee confirmed the minutes of the meeting held on 23 October 2019 as a correct record and they were signed by the Chair.

21 4 DUKE WILLIAM MOUNT - ALTERATIONS AND EXTENSIONS

Rob Percival, Area Planning Manager, introduced application number 19/01361/PFUL3 for planning permission by Mr Ian Staples for the partial demolition, alteration and extension to an existing detached dwelling with a linked garage.

The application is brought to the Committee at the written request of Councillor Angharad Roberts and Councillor Sam Webster, as the councillors for the affected ward, due to the significant level of public interest in the application.

To meet the Council's Performance Targets, this application should have been determined by 12 August 2019. An extension of time has been agreed with the applicant until 27 November 2019.

A list of additional information, amendments and changes to the item since the publication of the agenda and supplement to the original agenda was included in an update sheet, which was circulated at the meeting and appended to the agenda published online. It included a further representation from one of the objectors from the Park Planning Steering Group, submitted through the Ward Councillors.

The following points were discussed:

- (a) the property is a detached, two-storey dwelling located in an area that is primarily residential, within The Park Conservation Area. The property is an architecturally unsympathetic infill dwelling in a row of three similar properties, linked to the neighbouring house to the south by its garage. These houses were built after the demolition of a large, original estate house that stood on the site in the 1970s. The current property is set forward of 3 Duke William Mount, which is an original estate house to the north. There is a protected tree to the front of the house, along with a driveway and a small garden area. There is a larger back garden, with residential properties to the rear situated at a lower level. The street slopes downwards from north to south;
- (b) extensive alterations and extensions are proposed to the house, which will alter its appearance significantly in terms of footprint, size, height, materials and design. The plans have been amended during the determination of the application to address a concern raised by a neighbouring resident, with the proposed first-floor element of the house now set back to the line of the existing property's front elevation. A number of design alterations were also made following pre-application discussions to address concerns regarding scale, impact on heritage assets and the Conservation Area, and on neighbouring residents. The original front boundary wall and protected tree to the front of the house will be retained, with alterations to the parking area and garden to the front of the property;
- (c) the proposals as they now stand are considered by Planning Officers to represent a significant improvement over the architectural quality of the existing dwelling. The potential for the demolition of the current house and the building of a dwelling further back from the frontage has been considered, but this would be likely to create a number of problems, including issues of amenity for both the applicant's property and those of the immediate neighbours;

- (d) representations have been received both in support of and in objection to the proposal. Three neighbouring residents have commented in support of the application. Objections have been raised by three groups within the Park Estate (the Nottingham Park Residents Association, the Park Planning Steering Group and the Nottingham Park Estate) and the Nottingham Civic Society, citing concerns about the size and prominence of the proposed building and its impact upon the historic setting, both of itself and in the context of its contribution to cumulative developments that are affecting the special character of the Conservation Area;
- (e) the Committee felt that the current property, and its neighbouring contemporary buildings, did not represent good architecture within the Conservation Area, and were not historic assets of themselves. It considered that the proposed design for the new house represented a much better standard of architecture that would make a more positive contribution to the Conservation Area than the current building. It noted that the new dwelling did not encroach beyond the current building line and that, if set further back, would impact upon the rear views and amenity of the neighbouring properties (the owners of which are in support of the proposals). It commented that, in terms of environmental sustainability, it is preferable to include the current building within the construction of the new house, rather than to have it demolished. The preservation of the protected tree is very important.

RESOLVED to:

- (1) grant planning permission, subject to the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report of the Director of Planning and Regeneration;**
- (2) delegate power to determine the final details of the conditions to the Director of Planning and Regeneration.**

22 QUEEN'S ROAD / NETWORK RAIL SITE - 348 PRIVATE RENTED SECTOR APARTMENTS

Rob Percival, Area Planning Manager, introduced application number 19/01642/PFUL3 for planning permission by Marrons Planning on behalf of Blocwork LLP for the demolition of the existing buildings on the site and the construction of 348 studio, one, two and three bedroom build to rent apartments, with ancillary residential facilities, car and cycle parking, public realm improvements and a commercial unit on the ground floor for flexible A1, A3, D1 and D2 use.

The application is brought to the Committee because it is a major development on a prominent site, and the planning obligations are less than required by planning policy.

To meet the Council's Performance Targets, this application should have been determined by 23 October 2019. An extension of time has been agreed in principle with the applicant.

A list of additional information, amendments and changes to the item since the publication of the agenda and supplement to the original agenda was included in an

update sheet, which was circulated at the meeting and appended to the agenda published online. It included an update from the applicant in relation to biodiversity, sustainability and waste management, and an amendment to the proposed recommendations relating to the introduction of a new pedestrian crossing on Queen's Road, subject to further technical analysis regarding the suitability, design and siting of the crossing.

The following points were discussed:

- (a) the site is owned by Network Rail, which is a partner in the proposed development. It fronts onto Queen's Road and backs onto the railway. The site is generally flat, with a small concrete retaining wall that marks the frontage of the site to Queen's Road. There are two buildings on the rear boundary of the site: a red brick, pitched-roofed, single-storey structure, and a stack of portable cabins that were used as office accommodation by the police, but are now empty. The site has been used as a car park for the station, though no formal consent was granted for this use, and it has become disused in recent years. The train station's Platform 7 is to the north of the site, the United Carpets and Beds business premises is to the east, the station multi-storey car park is to the west, and the residential Hicking Building and recently completed student accommodation known as The Laceworks are to the south;
- (b) a public footpath that provides access across the station runs along the western boundary of the site and there is an existing substation on the south-eastern site boundary. The site is situated within the Station Conservation Area and, to the south-west of the site, there is the Grade II listed Meadow Mill. The Grade II* Nottingham Railway Station is situated to the north-west. The western element of the site is within the Environment Agency's Flood Zone 2;
- (c) the proposal is for a Private Rented Sector (PRS) development of 348 apartments (17 x studios, 199 x 1 bed apartments, 126 x 2 bed apartments and 6 x 3 bed apartments), with ancillary accommodation on the ground floor, and associated works. There will be a mixed-use space on the ground floor in the western part of the building, with access to the front and side of the building. There is also the potential for a shop to be included within the development. The eastern element of the ground floor will have 46 car parking spaces, largely within an under-croft, and 264 bike parking spaces. In order to discourage car use in the city centre as much as possible, it is not proposed to increase the number of parking spaces on the site;
- (d) the footprint of the building is configured in an 'E' shape, with three projecting wings at nine storeys in height, with the top level recessed slightly. This is intended to avoid the creation of an enclosed, 'canyon' effect on Queen's Road. The main body of the building will back onto the railway and is proposed to be ten storeys high, with the top floor recessed. The mass of this rear elevation has been broken down with two slightly recessed vertical elements, that also break the roofline. The three wings have curved corners to Queen's Road and the rear corners of the building to the railway line are chamfered, to break up the massing of the building. The building will be constructed from red brick primarily, interspersed with buff and a dark-coloured brick to provide contrast. The full detail of the materials to be used for the build, including the paving around the site, will

be specified and agreed between the developer and Planning Officers at a later date, to ensure that they are of the right standard and quality and are sufficiently robust alongside the busy road;

- (e) following concerns raised by Historic England and the Nottingham Civic Society about the significant size and height of the building, and its potential visual impact on the local area and the city's skylines, a series of long views have been produced for the development from important points around the city, to assess the potential effect. Although the proposed building will be higher on the skyline than its neighbours, it is not significantly taller when viewed from a distance, and it is often masked by trees. As such, its impact on important views across the city is not considered to be significant;
- (f) a 6-metre set-back from the kerb of Queen's Road is required to enable the establishment of courtyard spaces, landscaping and tree planting to the front of the building. Tree planting will be carried out just inside the site boundaries, so that they do not interfere with services running underneath the pavements. Consideration is being given to some level of green walls, which is likely to be achieved through the use of planted frames to help mask the car parking area within the building. The landscaping in the courtyard and around the development will require detailing and development as part of the planning conditions, with careful consideration given to the greening of the building. Solar photovoltaic panels will be installed on the roof and air-source heat pumps will be used to heat the commercial space on the ground floor;
- (g) as the area is an intensely urban environment, good planting (beyond trees, alone) is vital for the Public Realm space within the development boundaries, to create natural spaces with native plants that are supportive of biodiversity and pollinating species. Permanent and sustainable natural environments are also needed for the renewed pedestrian route to the station, and between the development and the neighbouring railway tracks and industrial units. The installation of solar panels and bird and bat boxes is very positive, but more charging points should be included for electric vehicles, beyond the standard number. Measures must be in place for effective heat and energy management across the site – particularly at high level and in the courtyards – and planting can be helpful in mitigating heat-related problems. Ultimately, there must be a strong plan for general greening of the building and wider site, with good, well-designed planting;
- (h) the pedestrian route to the station requires significant improvement and will be reconfigured to be as wide as possible, attractive and well-signed, and the potential for street tree planting in this area will be investigated further. Discussions will be undertaken with the developer to ensure that this space is managed effectively as a good environment for pedestrians. There is unused land between the development site and the station that is set aside for the expansion of the station and tracks, in the future. However, in the interim, the area can be used for landscaping as part of the development. Given that this is the shaded, north-facing side of the site, the planting must be planned appropriately to maximise the potential of the green space for biodiversity and pollination;

- (i) an independent appraisal has been carried out to provide a recommendation on the highest viable level for the development's Section 106 contributions – which is less than that required by planning policy for the benefits under consideration (public open space, affordable housing and education). Due to the lower Section 106 figure that has been agreed through this process, the contribution available for affordable housing will be reduced. However, a sum will still be paid towards this, which will enable investment in affordable housing in the wider area. The ways in which this funding will be apportioned will be established at a future date;
- (j) the potential need for a pedestrian crossing on Queen's Road in the vicinity of the site has been identified, to improve pedestrian connectivity in the area. Given that the needs of the growing residential population in the area should be supported as much as possible, and that the new development may have a shop, it would be beneficial to have a more formalised crossing in the immediate area. However, this could have a negative impact on the traffic on and around Queen's Road, which is a major route through the city. Subject to a full analysis regarding the suitability, design and siting of the crossing, to assess whether it is necessary and justifiable as part of the development, part of the funding for its provision would be taken from the Section 106 contribution towards Public Open Space, with the remainder to be sought from future development within the area;
- (k) regarding the Section 106 request from the Nottingham University Hospitals NHS Trust, the matter of whether a contribution towards secondary health care provision should be made, and the amount concerned, is under consideration. Given the viability issues, should a sum be justifiable for secondary health care provision, this will be deducted from the funds allocated for off-site affordable housing provision;
- (l) local employment and training opportunities will arise from this development, which represents a substantial element of the regeneration of the south side by the rail and train station, and discussions are underway with the applicant to secure the delivery of these through working with the Council's Employer Hub;
- (m) the Committee considered that, overall, the scheme in its current form is positive and well thought-out, and that the design and architectural detailing of the building is strong. It observed that proposed schemes for the regeneration of this site have been put forward in the past and the current proposals represent good improvements on previous proposals, and that the configuration of the footprint to create open space is particularly positive. However, it felt that the reduction of the Section 106 contribution is deeply unfortunate, particularly in the context of the shortage of social and affordable housing. It recommended that the conditions to the grant of planning permission should address closely:
 - (i) the greening of the building and the creation of sustainable, biodiverse and pollinating planting around the site;
 - (ii) the effective heat and energy management of the site, particularly in the Public Realm spaces and areas at height;
 - (iii) the introduction of further charging points for electric vehicles;

- (iv) the effective management of the pedestrian routes across the site to the station and the city centre;
- (v) the high quality of the materials to be used in the construction;
- (n) the Committee agreed that a full assessment of the requirement for a new pedestrian crossing on Queen's Road should be carried out and, if the conclusion is that it is necessary, it will be funded in part or in full by the Section 106 contributions.

RESOLVED to:

(1) grant planning permission subject to:

- (i) the prior completion of a Section 106 Planning Obligation including financial contributions toward Public Open Space, Affordable Housing, Education and, potentially, Secondary Health Care provision and a Pedestrian Crossing on Queens Road;**
- (ii) the conditions substantially in the form of those listed in the draft decision notice at the end of the report of the Director of Planning and Regeneration and associated update sheet, together with conditions to address those matters identified by the Committee, but with power to determine the final details of those conditions being delegated to the Director of Planning and Regeneration;**

(2) to delegate power to determine the final details and terms of the Planning Obligation (including whether a Secondary Health Care provision and a Pedestrian Crossing provision be sought and as to the quantum of all relevant contributions) to the Director of Planning and Regeneration, subject to him being satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligation sought is:

- (i) necessary to make the development acceptable in planning terms;**
- (ii) directly related to the development;**
- (iii) fairly and reasonably related in scale and kind to the development.**

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