

# Nottingham City Council

## Planning Committee

Minutes of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 19 February 2020 from 2.30 pm - 4.18 pm

### Membership

#### Present

Councillor Michael Edwards (Chair)  
Councillor Leslie Ayoola  
Councillor Kevin Clarke  
Councillor Graham Chapman (Vice Chair)  
Councillor Gul Nawaz Khan  
Councillor Pavlos Kotsonis  
Councillor Sally Longford  
Councillor AJ Matsiko  
Councillor Toby Neal  
Councillor Lauren O`Grady  
Councillor Ethan Radford  
Councillor Mohammed Saghir  
Councillor Wendy Smith  
Councillor Cate Woodward

#### Absent

Councillor Azad Choudhry  
Councillor Audra Wynter

### Colleagues, partners and others in attendance:

James Ashton - Transport Strategy Manager  
Ann Barrett - Legal Team Leader, Planning and Environment  
Rob Percival - Area Planning Manager  
Martin Poole - Area Planning Manager  
Paul Seddon - Director of Planning and Regeneration  
Nigel Turpin - Team Leader, Planning Services  
Kate Morris - Governance Officer

### 30 Changes in membership

The Committee noted that Councillor Toby Neal has replaced Councillor Cheryl Barnard as a member of the Committee.

### 31 Apologies for absence

Councillor Audra Wynter – Personal

### 32 Declarations of interests

In relation to agenda item 5a, Former Mechanics Arms Public House, Alfred Street North, St Ann's (minute number 34) Councillor Graham Chapman indicated that he had had a prior involvement with the development which may give the appearance of his judgement being prejudiced and therefore he would not be participating in debate or voting on the matter.

Councillor Graham Chapman left the room at this point

### **33 Minutes**

The Committee confirmed the minutes of the meeting held on 18 December 2019 as a correct record and they were signed by the Chair.

### **34 Planning applications: reports of the director of planning and regeneration**

- a Former Mechanics Arms Public House, Alfred Street North, St Ann's (Agenda Item 5a)

Martin Poole, Area Planning Manager, introduced application number 19/02365/PFUL3 for planning permission by Allan Joyce Architects Ltd on behalf of Framework Housing Association for the erection of 16 supported living flats and associated management and training facilities following the demolition of the public house.

The application is brought to the Committee due to significant public interest contrary to officer recommendation from local residents with two Ward Councillors having submitted written objections. In addition it was proposed that the planning obligations typically required by adopted planning policies be waived in this case.

To meet the Council Performance Targets this application should have been determined by 21 January 2020

Additional information, amendments and changes to the item since the publication of the agenda was included in an update sheet, which was circulated at the meeting and appended to the agenda published online. It included two further objections, one from Inspector James Walker of Nottinghamshire Police and the other from Councillor Sue Johnson, Ward Councillor.

Prior to the Committee's consideration of this item and with the permission of the Chair Councillor Sue Johnson addressed the Committee in her role as a Ward Councillor for St Ann's and made the following points.

- (a) The move of the facility from Forest Road West to the proposed site of the Mechanics Arms in St Ann's is ill conceived. The area of the proposed site has been plagued with issues of anti-social behaviour and drug use for many years and there are concerns that moving the Forest Road West facility to St Ann's will compound the issues the area already experiences;
- (b) There are better placed vacant buildings, closer to the city centre where service users would be able to access other services that they need, that would not impact on residential areas, and would not contribute to existing problems such as parking, drug use and anti-social behaviour (which were detailed more fully in her written representation referred to in the update sheet);

- (c) There is an issue with parking on Alfred Street North, the location of the proposed development. There is already a significant issue with parking on this street, and the development only has two proposed spaces. If the development is being used as a location for staff training this will contribute to more problems with the current parking;
- (d) The proposed development site is within walking distance of a women's refuge. The exact location cannot be disclosed to ensure the safety of the women using the facility, however a development of the sort proposed could significantly impact the refuge and the safeguarding of the women;
- (e) The proposed development will also significantly impact on the privacy of surrounding residential properties. This may raise implications under the Human Rights Act, Article 8 of the European Convention on Human Rights and Article 1 of the First Protocol regarding the right to privacy and family and home life and peaceful enjoyment of possessions. The development is also situated very close to a children's play park and concerns are that Framework service users will use this area to congregate making the park unappealing to children and families in the area and raises safeguarding issues;

The following points were discussed:

- (f) The proposed development is to demolish the existing former public house and to construct 16 one-person, supported living units along with training facilities on the ground floor. The proposed development will be three and four storey with a flat roof. The new building would be located on the back edge of St Ann's Way pavement;
- (g) The applicant has advised that the facility would be staffed 24 hours a day;
- (h) The building opposite the site is a vacant community building, adjoining the site are two storey residential buildings. Although it is mainly a residential area there are a number of commercial buildings to the north and the east;
- (i) A number of objections have been raised by residents, Police, and two Ward Councillors. A petition with 25 signatures has been submitted highlighting residents' concerns around parking, crime, proximity of the development to the park and antisocial behaviour;
- (j) Framework are looking to move the facility currently located on Forest Road West as the current building is no longer fit for purpose. The current service on Forest Road West has been active for around 15 years rather than the one year mentioned in the objections. Planning Officers have looked at the experiences of local residents, police statistics and Councillor casework and there is nothing that gives rise to significant issues at the current location. Evidence points to the facility not having a significant impact on the local area;
- (k) Traffic colleagues have assessed the development and the existing parking conditions on Alfred Street North. They feel that the development would not significantly add to parking problems in the area. The applicant will be asked to sign up to a travel plan around how staff will travel to the site;

- (l) The planning process in place as part of Nottingham City Council policy and UK law provide a legal framework for impact of planning to be assessed considering the Human Rights Act. As the application has gone through the robust planning process the Committee can be assured that they are acting within the Human Rights Act;
- (m) The Committee agreed that they would like to seek assurance from Framework that the facility will be managed appropriately in order to reassure residents. The Committee would like to see that appropriate staffing levels and policies/procedures are in place;
- (n) The Committee were concerned about the proposed development adding to existing problems in the area. There has been a lot of targeted work by Nottingham City Council, Nottinghamshire Police and many other partner organisations to tackle anti-social behaviour and drug problems in the area, as well as working on deprivation and creating a cohesive community, and the committee were concerned that the development may destabilise the sense of community;
- (o) The Committee acknowledged that this was a difficult decision as there is a need for temporary supported accommodation of this sort in this area;
- (p) Members of the Committee raised concerns that the wider consultation process is still ongoing. Officers confirmed that the statutory consultation had taken place as required by policy and planning law, but that the decision had been taken to extend the consultation due to the extent of public feeling following a public meeting. Responses to this extended consultation have been consistent with the initial consultation and have not raised any additional material planning considerations;
- (q) A Conservation Officer has assessed the existing building, it is not in a conservation area, and is not directly next to the former mill. They do not feel that it should have protected status.
- (r) The Committee also raised concerns around how the proposed development might materially change the character of the area. It was highlighted that this could not be demonstrated as having happened for the Forest Road West site so it would be difficult to say that it would change the character of the area at the new site;
- (s) Regarding the design of the building, the Committee felt that thought had gone into the design to ensure it was not simply a cube, that there was variation in depth to the facings of both sides. The ground floor does not interact with the pavement in the most favourable way and more consideration should be given to the front entrance; it was also felt that the finishing to the top of the building could be explored further
- (t) The proposed development looks much more like the industrial buildings to the north and the east of the site than the residential buildings it sits amongst. Some members of the Committee liked this as it distinguished it from the residential properties and others felt that more blending with the neighbouring residential buildings would be favourable.

After considering all of the above the Committee felt it would be beneficial to seek further assurances from Framework around the management of the building, further information on the impact that the Forest Road West site has had on the neighbourhood and for the extended consultation period to be allowed to expire before determining the application.

**Resolved to defer the decision on planning application 1902365/PFUL3 until the March 2020 Planning Committee.**

The meeting was adjourned at 15:36.

The meeting was reconvened at 15:47

b Former Waitrose store, 110 Trowell Road, Wollaton (Agenda Item 5b)

Rob Percival, Area Planning Manager, introduced application number 19/02746PFUL3 for planning permission by Lidl GB Ltd for the demolition of a covered walkway extension to the south and west elevations to form shop fronts for 8 units including Lidl, reconfiguration of the carpark and installation of bollards

The application was brought to the Committee due to significant public interest that is contrary to the officer recommendation.

To meet the Council Performance Targets this application should have been determined by 4<sup>th</sup> February 2020. An extension of time has been agreed with the applicant until 28 February 2020.

Additional information, amendments and changes to the item since the publication of the agenda was included in an update sheet, which was circulated at the meeting and appended to the agenda published online. It included the submission of revised plans showing 16 cycle parking spaces, 18 disabled parking spaces, 2 electric charging vehicle parking places, as required by the published draft conditions. It also contained As a result of the revised plans having been received a new condition was proposed to replace draft conditions 5,6,and 7 on the draft decision notice appended to the report.

The following points were discussed:

- (a) The site is located on the north of Trowell Road. It was formally a Waitrose supermarket and carpark. The site also houses a Post Office and a café. Access to the site is off Trowell Road;
- (b) The applicant will retain the majority of the floor space for its own use, but have proposed to create individual, smaller retail units within the existing building. The west frontage would be altered to include glazed fronts for the individual units. The frontage for the units at the back of the building would not be altered and would remain as they are now. The covered walkway would be demolished and the parking spaces would be rotated 90 degrees. Disabled car parking would remain at the front of the building in its current location;

- (c) There have been a number of representations, many of them concerned that the smaller units may be brought into use as hot food takeaway restaurants, which would encourage antisocial behaviour, extended opening hours and increased litter. Concerns have also been raised about noise from demolition works. The applicant is not seeking a change in use for these smaller units and they will be retained as A1 retail use. Any proposed change of use as a hot food takeaway would require planning permission. Demolition noise will be very minor as the planned demolition is not extensive;
- (d) The existing Post Office and Café would remain on site and extra controls are being sought to limit noise from deliveries to those units located at the back of the store due to their proximity to residential dwellings. This has been reflected in the draft condition 10 that should read 08:00 – 20:00 Monday to Saturday;
- (e) Committee members raised concerns about the loss of the trees currently on the site. The applicant will be required to replace lost trees at at least a two for one rate, so the site will require 6 trees. The Committee felt that this could be improved and more trees/greenery could be incorporated into the proposed design in order to help work towards a greener Nottingham, increase biodiversity and contribute to the clean air targets. There are no implications for the larger trees on the edge of the site;
- (f) The Committee noted that the car park as it is currently configured includes 26 disabled spaces. They expressed disappointment that the number of disabled parking spaces was being reduced;
- (g) Despite being a busy entrance and exit, Highways colleagues have advised that there is no record of safety incidents historically. The Committee agreed that although there was no need to signal the junction at this point, that monitoring would be beneficial and would quickly highlight if it became problematic;
- (h) The number of electric chargers proposed is proportionate to the number of additional spaces. Planning policy does not place a requirement on the applicant to add vehicle changing points for the existing spaces. The Committee asked that planning colleagues go back to the applicant with a strong message that additional charging points would be beneficial;
- (i) The Committee asked about planning for standing water and run off. All new developments are appraised by drainage colleagues and in some circumstances by the Environment Agency with a focus on sustainability and drainage. There are requirements set out in planning policy which require developers to consider drainage and how developments might impact on drainage and run off in other parts of the city;

**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 save that:-**
  - a. conditions 5, 6 and 7 be deleted and replaced by the following condition:**

**No part of the development hereby permitted shall be brought into use until the disabled parking spaces, cycle parking spaces and electric vehicle charging scheme have been fully implements in accordance with approved plan A-PL-003 Rev C.**

- b. the hours for delivery , servicing and refuse removal for units 3 to 7 on Monday to Saturday in condition 10 being amended to 08:00 – 20:00 Monday to Saturday**

**(2) Delegate authority to the Director of Planning and Regeneration to determine the final details of the conditions.**