

# Nottingham City Council

## Planning Committee

Minutes of the meeting held remotely via Zoom and live-streamed on YouTube on 20 January 2021 from 14:01 to 16:47

### Membership

#### Present

Councillor Michael Edwards (Chair)  
Councillor Graham Chapman (Vice Chair)  
Councillor Leslie Ayoola  
Councillor Kevin Clarke  
Councillor Maria Joannou  
Councillor Gul Nawaz Khan  
Councillor Pavlos Kotsonis  
Councillor Sally Longford  
Councillor Toby Neal (items 43-46)  
Councillor Lauren O`Grady  
Councillor Ethan Radford  
Councillor Mohammed Saghir  
Councillor Wendy Smith  
Councillor Cate Woodward  
Councillor Audra Wynter

#### Absent

Councillor AJ Matsiko

### Colleagues, partners and others in attendance:

Richard Bines - Solicitor  
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 - Team Leader, Planning Services  
Kate Morris - Governance Officer

### 43 Apologies for Absence

Councillor AJ Matsiko - Personal

### 44 Declarations of Interests

Councillor Sally Longford declared a Disclosable Pecuniary Interest in agenda item 4c, 23 Runswick Drive, Nottingham, NG8 1JE (minute 46c) because she is the property owner. She left the meeting prior to discussion and voting on this item.

Councillor Audra Wynter declared an Other Interest in agenda item 4b, Former Melbury School Playing Fields, Melbury Road, Nottingham (minute 46b) because she is a board member of Nottingham Community Housing Association, the sponsors of the development. She left the room prior to discussion and voting on this item.

## **45 Minutes**

The minutes of the meeting held on 20 January 2021 were confirmed as a true record of the meeting and were signed by the Chair.

## **46 Gala Club, St Ann's, Well Road, Nottingham, NG3 1ED**

Martin Poole, Area Planning Manager, introduced application number 19/02566/PFUL3 for planning permission by Zenith Planning and Design on behalf of Rightmove Real Estate Ltd for the construction of purpose-build student accommodation building with cluster bedrooms, studios and associated communal areas, over 2 to 7 storeys. The application is brought to Committee because it is a major application for a prominent site with important design and heritage considerations which has generated significant public interest that is contrary to the officer recommendation.

To meet the Council's Performance Targets this application should have been determined by 20 February 2020.

The following points were discussed:

- (a) The site is that of the former Gala club on St Ann's Wells Road, with rear access onto Curzon Place. It sits next to Nottingham Central Mosque, and the Tram Shed. There is student housing to the rear of the site on Curzon Place and further up St Ann's Well Road. The William Booth Memorial halls, recently added to the statutory list of Listed buildings are in close proximity;
- (b) The footprint of the development has been subject of significant amendments, particularly in relation to the relationship between the development and the Mosque. A number of representations were received from Nottingham Central Mosque around the impact of the proposed development on the natural light within the Prayer Room;
- (c) Initially the proposed development had a very close relationship with the Mosque, this has been revised to create an external courtyard directly adjacent to the Pray Room windows providing cycle storage for residents of the development. A further change to the scheme in response to concerns raised by the Mosque are the use of oriel bay type windows, orienting the view from the accommodation back across to St Ann's Wells Road. There are small service type windows face Curzon Place and there are no windows on the side elevation direction adjacent to the Mosque;
- (d) The Mosque is identified as a building of Townscape significance in the Local plan as a focal point. Officers have worked with developers to maximise views of the dome from with the street scene. Developers have preserved the viewing corridor of the dome as it would have been with the previous building;
- (e) The original design for the entrance way was rather heavy and has been revised to address concerns about how open the entrance would feel. The revised entrance opens up and improves how the building addresses the street scene;

- (f) A number of representations have been received about the development, specifically from the Mosque and attendees at the Mosque. These are around student accommodation, the height and the relationship of the development to the Mosque, car parking in relation to students in the development, and about noise and antisocial behaviour from residents. The scheme has been through a number of changes to improve the relationship of the development with the Mosque. There will be some overshadowing at certain times of the day, however this is to be expected between buildings in the City, but this relationship is now acceptable notwithstanding the unique nature of the Mosque;
- (g) The development is a student scheme, and through the Section 106 requirements, as is normal for purpose built student accommodation within the city, officers are suggesting management arrangements and expect residents to not own cars. This is an established and well tested method for management within the city for purpose built student accommodation of this type. In typical arrangements in place across the city the implication for tenants found to have brought a car are significant. There is a public car park on Curzon Street, and further public parking on Union Road;
- (h) Concerns around noise and anti-social behaviour arise because this is a student scheme, and is focused on the courtyard area at the front corner of the scheme. It is expected normal management of the building will control potential for anti-social behaviour in this area. Appropriate management arrangements, and contact arrangements will be put into place to allow a mechanism to address any residual concerns;
- (i) The site of this proposed development is within an area identified as generally appropriate for student housing and there is evidence for a continued strong demand for student accommodation in the city centre;
- (j) Committee members welcomed the work to reduce the height and mass of the building, and working together to reduce the impact on light for the Prayer Room;
- (k) Committee member asked if it would be possible prevent the consumption of the alcohol in the courtyard area to reduce the potential for anti-social behaviour, and whether planting schemes could include plants to dissuade people from gathering in the area. Details of landscaping can be designed to control behaviour. The management agreement would can be drawn up taking into account the sensitive nature of neighbouring properties;
- (l) Waste vehicles and waste removal will take place on Curzon Place, it is a quiet road and not heavily used so waste collection will not cause undue concerns;
- (m) Height of the building was still a concern. This has been given a lot of thought and officers have worked with developers with a number of different proposals being made throughout the life of the application. In the context of other buildings in the vicinity, the mass and height are similar to existing buildings;
- (n) A committee member asked whether enough consideration had been given to the balance of the community in the area, as although the area is considered

suitable for student housing there are already a number of schemes established. Assessment does suggest that this scheme is well positioned, for students accommodation, residents would be travelling into the city centre campus's meaning that impact on the traditionally residential areas would be lessened;

- (o) Some committee members felt a site visit may be beneficial to understand the relationship between the development and the Mosque and that the some of the slides presented were not as clear as they could be in describing the relationship between the Mosque and the proposed development;
- (p) A committee member asked that the lighting arrangements for the front and back entrance to the building are considered through conditions and that the top of the front of the building appearance is also considered. The developer is now proposing a string course detail at the top of the building.

Councillor Mohammed Saghir moved that the decision should be deferred for one month pending a site visit, this was seconded by Councillor Gul Khan. The committee voted against deferring the decision by 10 votes to 5.

**Resolved to:**

- (1) Grant planning permission for the reasons set out in this report, subject to:**
  - (i) the indicative conditions substantially in the form of those listed in the draft decision notices at the end of this report;**
  - (ii) prior completion of an agreement to secure a Section 106 planning obligation to secure the following:**
    - (a) an off-site Open Space contribution of £75,055.48;**
    - (b) local employment and training benefits including opportunities in the construction phase of development together with payment of a financial contribution of £18,920 towards employment and training;**
    - (c) a student management plan and restrictions on keeping private vehicles;**
- (2) Delegate authority to determine the final details of both the terms of the Planning Obligation and the conditions of planning permission to the Director of Planning and Regeneration; and**
- (3) That Committee are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligations sought are (a) necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development.**

The meeting was adjourned at 15:55 for a short break.  
The meeting was reconvened at 16:05.

**47 Former Melbury School Playing Fields, Melbury Road, Nottingham**

Councillor Audra Wynter had declared an Other Interest in this item because she is a member of the Board for Nottingham Community Housing Association (NCHA), the sponsors for this development. She was not admitted to the virtual meeting for this

item following the brief adjournment and did not participate in discussion or voting on this item.

Rob Percival, Area Planning Manager, introduced application number 20/00264/PFUL3 for planning permission by Pelham Architects on behalf of Starfish Commercial & NCHA for the construction of 50 houses and bungalows. The application is brought to Committee because a resolution to grant planning permission would directly conflict with the recommendation of an external statutory consultee, the Nottinghamshire County Council as Local Highway Authority.

To meet the Council's Performance Targets this application should have been determined by 1<sup>st</sup> February 2021.

Additional information, amendments and changes to the item since the publication of the agenda were included in an update sheet, which was appended to the agenda published online. It included changes to recommendations to include onsite affordable housing and provision of an additional pre occupation condition.

The following points were discussed:

- (a) The site is currently open ground with some areas of overgrowth. It sits to the south of Melbury Primary school to the west of Bilborough College and to the east borders the boundary between Nottingham City Council and Broxtowe Borough Council;
- (b) The site is allocated for residential development within the local plan adopted in 2020. All housing will be delivered as affordable housing, and comprises of 45 two bedroom properties and 5 three bed properties. Properties are configured to back onto existing housing on Melbury Road and Whitelodge Gardens, leaving a large public open space towards the north of the site and a smaller area of public space towards the south of the site;
- (c) Properties will be either runs of terraces or semi detached properties, with parking predominantly to the front with additional on-street parking bays throughout the development. There is sufficient parking on the plots, supplemented by the on-street parking bays and on-street parking would not increase on College Way;
- (d) Dwellings will exceed building regulations by 10% in terms of thermal qualities. All properties will have electric vehicle charging points and water consumption is in line with the Councils policies. Existing trees and hedgerows will be retained;
- (e) There is a common architectural theme throughout the scheme, with gable features and brick detailing. Where properties are mid terrace the bin storage is to the front of the property. Materials for these stores has not yet been confirmed and will balance longevity and practicality with appearance;
- (f) Vehicular access to the site is proposed through College Way, a housing estate within Broxtowe Borough Councils area. There has been an objection from the County Council's Highway authority due to the extra traffic passing through the adjacent housing development and the safety issues around that;

- (g) The transport assessment anticipated an additional 29 vehicles in the peak hours, however the County Council highway authority feel this number will be closer to 34 in these peak hours. These figures were calculated on the original application, which was for 58 dwellings. The scheme has since been amended to 50 dwellings and so number of vehicles will be reduced. There have also been representations from residents on the adjacent housing scheme expressing similar concerns;
- (h) The applicant's traffic consultants are satisfied that the existing proposals will not generate a significant volume of traffic, and that the proposal will not be harmful in terms of safety. City Council Highways officers are satisfied with the robustness of the assessment and share the view that the proposed development would not result in an adverse impact;
- (i) An extra condition outlined in the update sheet explores the possibility of a footpath link from the southern end of the development into the existing area of Bilborough and makes a presumption for it to be provided if it is possible to do so. This link would benefit residents of the development both in terms of pedestrian access and cycling access to the wider Bilborough area, including the school and the local shops. This link would run through Nottingham City Council owned land;
- (j) Committee Members expressed their pleasure at seeing good quality affordable housing being proposed in an area in need, with good elements of open, green space. They appreciated the opportunity to develop biodiversity, and improve physical and mental health of residents that the green space offered;
- (k) Committee members agree that the pedestrian and cycle route out of the site is essential for the success of the development;
- (l) Some concerns were raised about the street layout and the lack of demarcation of pavements. It does not appear to be designed as a shared space. The tarmac is not broken up and would be improved by being broken up with sets. This level of detail will be addressed at the detailed design stage, when the materials are agreed by condition. Shared space elements will be designed in to the street layout;
- (m) There was some concern that, although somewhat mitigated by the large central green space, the large volume of tarmac may add to the flood risk. Committee members questioned the use of block paving on driveways due to maintenance issues and potential for fast deterioration. Permeable surface materials were suggested for the hard standings and this option will be explored through the materials to be agreed by condition.

**Resolved:**

**(1) To grant planning permission subject to:**

- (a) Prior completion of an agreement under s111 of the Local Government Act 1972 to secure a Section 106 Planning Obligation in respect of:**
  - (i) An Education contribution towards secondary school places of £122,864;**

- (ii) **Local Employment and Training opportunities, including a financial contribution of £16,244;**
  - (iii) **20% of the dwellings to be secured as on-site affordable housing;**
- (b) **Provision of an additional pre-occupation condition: Prior to the first occupation of the development, and notwithstanding the details shown on the approved plans, the developer shall explore with Nottingham City Council the potential to provide a footpath/cycle link from the site to White Lodge Gardens. Unless the City Council confirms in writing that such a footpath/cycle link cannot be provided, or agrees in writing to an alternative timetable for the occupation of the dwellings based on confirmation of arrangements for the provision of the footpath/cycle link, none of the dwellings hereby permitted shall be occupied until the footpath/cycle link has been provided in accordance with details that shall first have been agreed in writing by the Local Planning Authority;**
- (c) **The indicative conditions substantially in the form of those listed in the draft decision notice at the end of this report;**
- (2) **Delegate authority to determine the final details of both the terms of the Planning Obligation and the conditions of the planning permission to the Director of Planning and Regeneration;**
- (3) **That Committee are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligations sought are (a) necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development.**

#### **48    23 Runswick Drive, Nottingham, NG8 1JE**

Councillor Sally Longford declared a Disclosable Pecuniary Interest in this item because she is the owner of the property. She left the meeting prior to discussion and voting on this item.

Rob Percival, Area Planning Manager, introduced application number 20/02567/PFUL for planning permission by Rafael Waksberg Arch. Ltd on behalf of Councillor Sally Longford for the construction of Ground floor side extension and rendered external insulation to side elevations. The application is brought to Committee because it has been submitted by a Nottingham City Councillor, who is also a member of Planning Committee.

To meet the Council's Performance Targets this application should have been determined by 21 January 2021.

The following points were discussed:

- (a) The scheme is for an extension running down the side of the property, leaving a gap between the wall and the boundary. The proposed external wall insulation is modest and will be finished in white render. There have been no representations received and no issues raised by planning colleagues.

**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 this report;**
- (2) Delegate power to determine the final details of the conditions to be the Director of Planning and Regeneration.**