

Nottingham City Council Planning Committee

Minutes of the meeting held remotely via Zoom and live-streamed on YouTube on Wednesday 21 April 2021 from 2:35pm to 4:17pm

Membership

Present

Councillor Michael Edwards (Chair)
Councillor Graham Chapman (Vice Chair)
Councillor Kevin Clarke
Councillor Maria Joannou
Councillor Gul Nawaz Khan
Councillor Pavlos Kotsonis
Councillor Sally Longford
Councillor AJ Matsiko
Councillor Toby Neal
Councillor Ethan Radford
Councillor Mohammed Saghir (item 62)
Councillor Wendy Smith
Councillor Cate Woodward

Absent

Councillor Leslie Ayoola
Councillor Lauren O`Grady
Councillor Audra Wynter

Colleagues, partners and others in attendance:

Matthew Grant	- Principal Policy Planner
Lisa Guest	- Principal Officer, Highway Development Management
Judith Irwin	- Senior Solicitor
Adrian Mann	- Governance Officer
Martin Poole	- Area Planning Manager
Paul Seddon	- Director of Planning and Regeneration
Nigel Turpin	- Heritage and Urban Design Manager
Councillor Adele Williams	- Ward Councillor for Sherwood

59 Apologies for Absence

Councillor Leslie Ayoola	- Council business
Councillor Lauren O`Grady	- Council business
Councillor Audra Wynter	- On leave

60 Declarations of Interests

None.

61 Minutes

The Committee confirmed the minutes of the meeting held on 17 March 2021 as a correct record and they were signed by the Chair.

62 Sherwood Library, Spondon Street, Nottingham, NG5 4AB

Prior to the Committee's consideration of this item, and with the permission of the Chair, Councillor Adele Williams addressed the Committee in her role as a Ward Councillor for Sherwood and made the following points:

- (i) the local residents are broadly welcoming of this development, but wish to ensure that it is sustainable and accessible, and that any negative impacts are mitigated against;
- (ii) residents have requested that the photovoltaic (PV) cells proposed cover a much greater proportion of the roof space, and that a battery storage facility is added; a solar canopy is included for the car park; ground-source heating is used instead of air-source; assurance is given that the insulation is to standards that will support a high aspiration for sustainability; and that maximum use of recycled materials is made;
- (iii) residents have also asked for greater on-site cycle provision that is accessible, safe and secure; the retention of the current electric vehicle (EV) charging points in public spaces and the future-proofing of the public car park so that EV provision can be expanded in the future, as demand grows; and the embedding of support for sustainable transport and active travel into the scheme;
- (iv) for safety, residents request that there are markings on the road to make it clear that drivers should give way to pedestrians on the site, with a car park management plan in place to cover the section of Sherwood between the Hall Street car park and Spondon Street, with the impact on surrounding residential areas assessed. Residents consider that this should be paid for by the developer, so that it is not necessary for funding that would otherwise be spent on road safety across the ward to be diverted to manage the impact of this development;
- (v) some residents have raised concerns upon the potential impact of the retail elements of the proposed development on local businesses;
- (vi) residents request that the development includes a changing places toilet, so that disabled residents are able to visit the library, local retail and leisure facilities.

Martin Poole, Area Planning Manager, introduced application number 20/02688/PFUL3 for planning permission by Hockley Developments Limited for the demolition and reconstruction of the Sherwood Library building and public car park to create a new library, retail unit and 7 flats above, with further development to provide 12 houses, 22 flats and a public car park. The application is brought to the Committee as it is proposed that the planning obligations typically required by adopted planning policies be waived in this case, and because the application has generated significant public interest that is contrary to the officer recommendation.

A list of additional information, amendments and changes to the report since the publication of the agenda was included in an update sheet, which was appended to the agenda published online. This includes a summary of the independent assessment of viability appraisal (as set out more fully at paragraph (I), below) and details from the applicant setting out their energy strategy for the development.

The following points were discussed:

- (a) the application site is comprised of three sites owned by the Council. The Sherwood Library building is a two-storey building on the corner of Mansfield Road, and is currently vacant. It houses three retail units on the ground floor, with the library entrance. The library itself occupies the whole of the first floor. To the east of the library is a former day nursery site comprising a single storey building and associated outdoor space. To the north of this site, across Spondon Street, is a 56-space public car park;
- (b) the Council-owned buildings are considered to be no longer fit for purpose, but it is recognised that the Sherwood Library is highly valued, so it is considered essential that the library remains as part of any new development, provided that it can be delivered at nil capital cost to the Council. As such, following detailed discussions with the Council, the proposed development uses the value of the land in all three sites as set out in the application to create a scheme that is sufficiently viable to include a new Sherwood Library;
- (c) planning permission is sought for the replacement of the library building with a new, three-storey building comprising a retail unit and the glazed library entrance on the ground floor, a new public library on the first floor and seven one-bed flats on the second floor. Parking will be provided to the side and rear of the new library building, accessed from Spondon Street. Two disabled spaces will be dedicated to the library, twelve for the retail operator, four for the flats above, and twenty spaces will comprise a public car park maintained by the Council. Cycle parking and seating will be provided in front of the retail unit;
- (d) the public car park to the north of Spondon Street will be redeveloped with eight detached four-bed houses. Four semi-detached four-bed houses and two blocks of flats will be built on the former day nursery, with twenty-one one-bed flats and one two-bed flat. Eight parking spaces will be provided for the flats, two adjacent to Spondon Street and six at the rear;
- (e) the building materials are representative at this stage, and will be agreed as part of the conditions to planning permission. Red brick has been requested, with designs to reflect the architectural style of the surrounding area in a contemporary way. Natural ventilation is encouraged over mechanical ventilation, and the need for good shading and ventilation will be encompassed by the planning conditions and the Building Regulations;
- (f) the trees on the Mansfield Road frontage will be maintained, but this is not possible for the Spondon Street frontage, so replacement planting elsewhere on the site will be undertaken to compensate for the loss. A condition for the agreement of the landscaping detail is proposed, to achieve greening and softening of the rear elevation in the back car park, and dedicated spaces for landscaping have been identified in the plans;
- (g) the inclusion of a changing places toilet within the library will be an operational matter for the library to consider, and discussions on possible provision are currently underway. However, its establishment is not a requirement of current planning policy. The request from residents for the installation of a solar canopy

also goes beyond the remit of the scheme and cannot be required of the developer as part of the planning permission process;

- (h) negotiations have taken place with the developer as to sustainability. As a result of this, and as set out in the update sheet, the applicant has established that the building will be constructed on a fabric-first approach that will exceed the national standard u-values and air permeability detailed in the Building Regulations Part L2A. By going beyond these standards on both the building fabric and building services, this further reduces the building energy demand and carbon emissions. The use of recycled materials will be considered fully by the developer and construction firms in the context of their own sustainability policies, but cannot be made a requirement under current planning policy;
- (i) the plans have been revised to show 30 square metres of PV cells for the library and 35 square metres of cells for the apartments, with an air-source heat pump located on the roof of the library. Following a review of the available renewable and low-carbon technologies, it has been determined that the most viable solution is a high-efficiency air source heat pump, rather than ground-source. The developer aspires for the site to be fully electric, without a requirement for gas as an energy source, but this will need to be explored through the planning conditions, though the non-use of gas cannot be required through the conditions;
- (j) there will be EV charging provided for all of the houses, in addition to charging points equal to 10% of the number of flats, which meets the requirements of current planning policy. The final detail will be subject to agreement through the planning conditions. Cycle spaces are proposed at the front of the library and retail units, and to the rear of the building, with the confirmation of detail a requirement of the planning conditions;
- (k) the Committee agreed that full consideration must be given to the probable parking impacts of the development across the wider local area. The proposed conditions to planning permission require the production of an effective car park management plan by the developer for the private parking spaces. However, a number of the new parking spaces will be returned to the Council for the provision of a public car park, and this will fall under the Council's management remit. The Council's Highways team is satisfied that the wider impact of the scheme is acceptable;
- (l) as it stands, the scheme does not make provision for a Section 106 contribution. The Council's independent adviser has carried out an assessment of the viability appraisal provided by the developer and has confirmed that the development cannot afford to pay any Section 106 contributions if it is to be viable, due principally to the costs of providing the library;
- (m) the Committee felt that the scheme had improved, and that it was positive that it provided both a library for the local community and new family housing. It welcomed the fact that provision for sustainability had been enhanced, but felt that more could still be done. It requested that full assurance is provided that the development will be sustainable for the future and achieve the climate change objectives of the Council and its partners, and recommended that the developer works with the Council's Carbon Reduction and Sustainability team to achieve as

much for the development as possible. It considered that the developer should work to implement as many of the local residents' requests as it can that are low-cost and viable, within the financial constraints;

- (n) the Committee was advised that, ultimately, the scheme has been subject to a great deal of work and development, and is providing all that it can afford in the context of the practical and financial constraints. The sustainability features now proposed meet the requirements of Council policy and exceed the requirements of the current Building Regulations, with the proposed planning conditions requiring that a BREEAM rating of 'very good' is achieved. As such, the application as presented represents a complete package of viable measures that are acceptable, in planning terms. Other than as it relates to the viability of delivering the development, the value of the land to the future occupiers of the retail units falls outside the remit of the planning system;
- (o) the Committee considered that an amendment to the proposed condition 4e should be made to require the developer to work to maximise energy efficiency and on-site renewable energy generation for the whole development, within their financial constraints, aiming to work towards BREEAM 'excellent'. It hoped that the developer would be able to work with the Council's Energy Services team, to achieve as much for the site's long-term sustainability as possible. It recommended that the external hard surfaces to the development should be uniform rather than block paving, in order to deter weed growth;
- (p) the Committee requested that the detailed information of the six tests to justify imposition of any planning condition is circulated by officers to members, for their information.

Resolved:

- (1) to grant planning permission, subject to the indicative conditions listed in the draft decision notice at the end of the report, and subject to the appropriate amendment of the planning permission, and in particular condition 4e, to require the developer to maximise energy efficiency and on-site renewable energy generation for the whole development, within their financial constraints, aiming to work towards BREEAM 'excellent';**
- (2) to delegate power to determine the final details of the conditions to the Director of Planning and Regeneration.**

Councillor AJ Matsiko requested that his decision to abstain from voting on the above decision was recorded.

Councillor Mohammed Saghir was not present at the time of voting on this resolution.