

# Nottingham City Council

## Planning Committee

Minutes of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 22 June 2022 from 2.34 pm - 4.13 pm

### Membership

#### Present

Councillor Michael Edwards (Chair)  
Councillor Graham Chapman (Vice Chair)  
Councillor Kevin Clarke  
Councillor Jay Hayes (minutes 15-16 inclusive )  
Councillor Angela Kandola (minutes 11-15 inclusive)  
Councillor Gul Nawaz Khan (minutes 14-16 inclusive)  
Councillor Sally Longford  
Councillor Salma Mumtaz  
Councillor Ethan Radford (minutes 15-16 inclusive)  
Councillor Cate Woodward

#### Absent

Councillor Leslie Ayoola  
Councillor Azad Choudhry  
Councillor Corall Jenkins  
Councillor AJ Matsiko  
Councillor Toby Neal  
Councillor Mohammed Saghir

### Colleagues, partners and others in attendance:

Paul Seddon - Director of Planning and Regeneration  
Rob Percival ) Area Planning Managers  
Martin Poole )  
Ann Barrett - Team Leader, Legal Services  
Catherine Ziane-Pryor - Governance Officer

## 11 Apologies for Absence

Councillor AJ Matsiko – personal  
Councillor Leslie Ayoola – Council Business  
Councillor Toby Neal – Council Business  
Councillor Corall Jenkins – Council Business

Councillors Ethan Radford)  
Councillor Gul Khan ) Apologies for predicted lateness due to other Council business  
Councillor Jay Hayes )

## 12 Declarations of Interests

None.

## 13 Minutes

The minutes of the meetings held on 22 April 2022 and 18 May 2022 were confirmed as an accurate record and signed by the Chair.

## **14 Site Of Forest Mill Alfreton Road Nottingham**

Rob Percival, Area Planning Manager, presented application 22/00045/PFUL3 by Mr Antony Aspbury on behalf of Mr Harry Treanor for planning permission for a residential development, comprising 344 purpose built student accommodation apartments (790 bed spaces) together with ancillary leisure and retail facilities (UCO Class E), and 19 houses (UCO Class C3).

A brief presentation provided aerial and street views of the current site with plans and computer generated images (CGIs) of the proposed development consisting of a variety of mainly residential properties and small commercial properties.

Highlighted points included the following:

- a) previous part full and part outline planning permission has been granted to a similar scheme comprising apartments with retail units to Alfreton Road;
- b) this new application includes generous landscaped green space, including significant pedestrian areas, which replaces areas allocated for car parking in the previous scheme;
- c) the development also offers a variety of different height buildings, responding to the topography of the site and adding to visual interest;
- d) the 290 bed spaces consists of a mixture of cluster flats, studio apartments and vertical cluster properties which are of a similar layout to townhouses;
- e) the structure is predominantly brick with some standing seam zinc cladding;
- f) the non-student accommodation consists of three bed affordable housing between Boden Street and Thackeray Street with integrated garages to accommodate a single car parking space, and including refuse bin storage, and a small rear garden;
- g) the application is consistent with the Local Plan and has only received one representation of concern with regard to parking;
- h) the report details that the scheme will achieve an overall 22% reduction in carbon emissions compared to Building Regulations ;
- i) the comments of the biodiversity officer have been very positive, stating that this could be an exemplar scheme in biodiversity terms;
- j) Policy compliant s106 Obligations will be provided as detailed in the report;
- k) the update sheets refers to the ongoing consultation on the housing element of the application and so any approval is also to be subject to no new material planning considerations arising from that re-consultation.

Questions from Committee Members were responded to as follows:

- l) with regard to sustainability , all buildings are to be provided with air source heat pumps and there is a significant area of green roof;

- m) solar panels are also referenced but further clarity is required regarding how and where they could be applied, although roof space is still available;
- n) with regard to new and emerging green technologies, developers are generally led by the market and affordability. Some of the more adventurous green technologies initially have higher costs compared to existing technology and so are not deliverable recent changes in Building Regulations now will require higher standards to be met;
- o) Planning Officers believe that overall this is a very good scheme with regard to layout, quality of materials, design, and the open spaces. Given the overall quality of the scheme, no further detail was considered necessary for the eaves/roof edge of the buildings;
- p) the forward projecting window apertures would provide animation across the entire scheme;
- q) the maintenance of the private, gated open spaces and communal areas will be undertaken by the developer/ management company responsible for the student accommodation, with boundaries being of an appropriately quality in terms of the materials used. The housing association will be responsible for maintaining the housing scheme.

Comments from committee members included:

- r) this is a welcome development on a long-term vacant site;
- s) the inclusion of vertical student cluster accommodation is very welcome as is often attractive to second and third year students;
- t) the overall design is interesting and attractive and the inclusion of affordable housing is very positive for the area;
- u) as the climate heats up, it is important to consider a range of cooling options for accommodation in addition to heating, and particularly new and emerging green technology;
- v) the design is quite striking but plain in parts and could do with further attention to the eaves detailing and possibly consideration of more than one brick colour across the scheme;
- w) this is a very positive scheme which is particularly welcomed on this site. The application is less intensive than some other schemes, If it proceeds as currently intended, it will be held up as an excellent example of urban planning and will raise the bar for future developments;
- x) the design has been well thought out. The staggered frontage and use of brick is welcomed although consideration should be given to a variation in brick colour and possibly using brick to replace the areas of zinc standing seam;
- y) the use of heat pumps is welcomed;

- z) sustainable treatment of communal landscaping is important, particularly with regard to boundaries and maintenance. Use of good quality and durable surface treatments is imperative.

It is noted that as Councillor Gul Khan had arrived part way through consideration of the item, he was not eligible to vote on the decision.

### **Resolved**

- 1) to grant Planning Permission subject to:**
  - a) no material issues arising from the re-consultation exercise associated with the amended element of the proposed development comprising the 19 new dwellings;**
  - b) prior completion of a planning obligation which shall include:**
    - (i) a financial contribution of £987,890 towards off-site public open space and public realm improvements in the vicinity of the site;**
    - (ii) a financial contribution of £128,772 towards education;**
    - (iii) on-site provision of affordable housing, as well as a financial contribution of £745,824 towards off-site affordable housing;**
    - (iv) provision of local employment and training including a financial contribution of £133,480 towards its delivery;**
    - (v) provision of a student management plan, including a restriction on car ownership;**
- 2) for the power to determine the final details of the planning obligation and conditions of planning permission to be delegated 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 is (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.**

**Councillor Clarke abstained from the vote and requested that his abstention be recorded.**

### **15 28 - 32 Hall Street Nottingham NG5 4AS**

Prior to consideration of this item, and with the agreement of the Chair, Councillor Nayab Patel delivered a Ward Councillor representation regarding local concerns about the proposed development:

The three main areas of concern include:

- 1) the scale of the proposed development, which at three stories is taller than houses in the immediate area. Although the report claims that the proposed development is only slightly higher than the existing building it should be noted that it is only a very small proportion of the existing building which is at the height claimed. The application proposes a new layout with a much larger proportion of the building at the greater height;
- 2) parking in the area is already a challenge and residents are concerned that this will be further compounded the application is successful, as although there are two parking spaces allocated to the development, this is not believed to be sufficient for the 13 residents and 24-hour staffing use and the parking impact has not been sufficiently assessed;
- 3) neighbours are concerned at the overbearing impact of the proposal and the loss of privacy.

Martin Poole, Area Planning Manager, presented Application No: 21/02693/PFUL3 by Hockley Developments Ltd on behalf of Hockley Developments Ltd. for planning permission for the partial demolition and extension and conversion to form 13 supported living dwellings with staff/communal spaces. External area to provide 2 parking spaces, amenity space, and secure bin and cycle stores.

It is noted that the Update sheet presents further information and a formal letter of objection.

A brief presentation included a map of the proposed development site in context of the local area, an aerial view of the current structure which had formerly operated as a light industrial unit/warehouse, street views of the current buildings from different angles, and drawings of the elevations.

The following points were highlighted:

- a) the application is for 13 supported living dwellings with staff and communal facilities;
- b) the footprint of the proposal includes two parking spaces;
- c) the building will be constructed of brick and render, which is of a similar treatment as surrounding residential properties;
- d) the building is set back on its boundary with the Spiritualist Church. The “cutting back” of the proposed building relative to the massing currently in place was felt to be acceptable;
- e) this development is a small-scale scheme and therefore costly Computer Generated Images are not generally provided;
- f) resident representations are referred to within the report with further documentation included within the update sheet;

- g) highways colleagues have stated that they have no objections to the development subject to the proposed conditions being imposed on any permission granted;
- h) the design assessment states that the proposal is in context of two story development with the third story being within the roof space, and is therefore not out of place;
- i) flat roofs are not an uncommon design feature and are not problematic in new properties;
- j) one of the neighbours raising concerns is a church and not a residential property;
- k) with regard to residents' concerns around privacy, the first and second floor level windows will look towards residential properties, but are cut back and partly obscured so this is believed to be acceptable;
- l) with regard to parking, the majority of residents in the area rely on street parking. Whilst the proposal is for 13 supported units, it is unlikely that residents will drive or possess cars, and that even if some do, these are not grounds to refuse the application; The current lawful use as a commercial unit is likely to generate a similar if not greater demand for parking;
- m) the scheme has been assessed for section 106 viability and found not to be sufficiently viable to support any form of planning obligation;
- n) the size of the rooms is acceptable to planning colleagues, as is the layout.

Questions from Members of the Committee were responded to as follows:

- o) the green space indicated on the plan is within a larger outdoor area with hard surface treatment. The applicant believes that the size of the outdoor space is appropriate for the number of residents;
- p) members of the committee need to consider the application in front of them and not seek an alternative or to redesign the proposals;
- q) the site is within a heavily built-up area, but the applicants say that the proposal meet their needs;
- r) paragraph 7.1 of the report provides background information to the scheme, which intends to accommodate people who can live independently, but who require some level of care, providing an alternative to a long term institution. As such, it is unlikely that residents will drive;
- s) some of the 24-hour carers may travel by car, but the two car parking spaces are provided on site, whilst other visitors can use public car parks or on street parking;
- t) Planning Officer's assessment is that the application is in context and that the aesthetic is appropriate. The current building on the site consists of single and second story floor space, but there is no reason to retain this footprint and there are much taller residential

blocks within the area, including mixed scale properties. A two-storey building with rooms in the roof space is acceptable in planning terms;

- u) the use of render has been chosen by the applicant due to the context of surrounding properties, but an alternative may be discussed;
- v) there is little information on the proposed use of sustainable energy but the property will comply with building regulations and is sustainable;
- w) viability assessments have shown that there is not enough profit in the scheme to support payment of any section 106 obligations and the development is regarded as being, at best, only marginally viable before any planning policy requirements are factored in.

Members commented as follows:

- x) the level of the vulnerability of residents is unknown, but the allocated green space appears inappropriately meagre for 13 people to access, particularly when the benefit to well-being of accessing outdoor space has been proven;
- y) it is shocking that what little green space is proposed, would be synthetic;
- z) as the extent of disability and or vulnerability of future residents is not known, it should not be presumed that they will not possess cars or vehicles. The provision of two parking spaces within the proposed development is a token gesture, but if resident drivers possess a blue badge, they are able to park anywhere;
- aa) not knowing the level of vulnerability and the issues residents may have, a safe open space within the development and away from antisocial behaviour is valuable;
- bb) on street parking is particularly difficult in this area and it is not known how often carer support will be required;
- cc) the Committee is only presented with a ground floor plans, and whilst the total number of units is presented as 13, it's unclear what the configuration will be for the remainder of the site;
- dd) the Committee wants such facilities to succeed, they should be encouraged where there is a need;
- ee) more information on the proposed energy and sustainability features of the property are required before a decision is made;
- ff) it is important to provide an overall good scheme, including quality outdoor space;
- gg) a more visually staggered approach to the frontage may soften the starkness of the elevation, as would visually introducing the appearance of different floor levels;
- hh) computer-generated images would be welcomed in preference to just line drawings, so that members of the Committee can consider the application in context;

- ii) local resident objections to the scheme have been thoughtful of future scheme residents, including residential density and the provision of outdoor space.

**Resolved to defer consideration of the application to a future meeting pending the provision of further information in relation to the following:**

- i. further detail of the inside layout, particularly with regard to resident density;
- ii. proposals for the size and/or configuration of external space,;
- iii. further information on consideration of, or proposals for sustainable energy use;
- iv. proposals to improve the exterior appearance, including visual breaks within the frontage.

## **16 Burrows Court Windmill Lane Nottingham NG3 2DB**

This application had been deferred from the 22 April 2022 meeting pending Committee members' examination of the Planning Obligation Viability Assessment which has since been circulated to Committee members.

Martin Poole, Area Housing Manager, delivered a brief presentation on application 17/00648/PFUL3 by CPMG Architects on behalf of Landmark Capital Investment for planning permission for a residential development comprising fifteen houses; apartment block containing forty-one flats, and associated roads, parking and landscaping. The presentation included street views of the current site, site plans of the proposal and computer-generated images of the house frontages

The following points were highlighted and responses provided to members' questions and comments:

- a) as outlined in the report, a section 106 Planning obligation will be sought for various items including a contribution of £14,700 towards education which had unfortunately been omitted from the April report;
- b) whilst members may be disappointed that there are no obvious commitments to sustainable energy, this application was submitted in 2017, and the landscape of expectation has subsequently changed;
- c) the absence of sustainable energy features is not contrary to Policy and does not present substantial enough grounds to refuse the application.

Members of the Committee were disappointed and one third of the membership present abstained from voting.

### **Resolved**

- 1) to grant planning permission subject to:
  - (a) prior completion of a Section 106 Planning Obligation which shall include:

- (i) a financial contribution of £136,234 towards affordable housing;**
    - (ii) a financial contribution of £27,136 towards open space improvement;**
    - (iii) a financial contribution of £3,930 towards employment and training;**
    - (iv) a financial contribution of £14,700 towards education;**
  - (b) the indicative conditions listed in the draft decision notice at the end of the report;**
  - (c) the power to determine the final details of both the terms of the Planning Obligation and the conditions of planning permission to be delegated to the Director of Planning and Regeneration;**
- 2) 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.**

**Councillors Sally Longford, Salma Mumtaz and Kate Woodward asked that their abstention from voting be recorded.**