

Nottingham City Council

Planning Committee

Minutes of the meeting held remotely via zoom and streamed to YouTube on 17 June 2020 from 2.34 pm - 4.02 pm

Membership

Present

Councillor Michael Edwards (Chair)
Councillor Graham Chapman (Vice Chair)
Councillor Leslie Ayoola (minutes 1-5)
Councillor Kevin Clarke
Councillor Maria Joannou
Councillor Gul Nawaz Khan
Councillor Pavlos Kotsonis
Councillor Sally Longford
Councillor Toby Neal
Councillor Lauren O`Grady
Councillor Ethan Radford
Councillor Mohammed Saghir (minutes 5-7)
Councillor Wendy Smith
Councillor Cate Woodward

Absent

Councillor AJ Matsiko
Councillor Audra Wynter

Colleagues, partners and others in attendance:

Paul Seddon - Director of Planning and Regeneration
Rob Percival - Area Planning Manager
Tamazin Wilson - Solicitor
Nigel Turpin - Heritage and Urban Design Manager
Lisa Guest - Principal Officer, Highways
Catherine Ziane-Pryor - Governance Officer

1 Apologies for Absence

Councillor Audra Wynter - other Council business
Councillor AJ Matsiko - work-related

2 Membership

Resolved to note that Councillor Maria Joannou has replaced Councillor Azad Choudhry.

3 Declarations of Interest

None.

4 Minutes

Minutes of the meeting held on 18 March 2020 were confirmed as a true record and will be signed by the Chair.

5 Planning Application - Land West of Arkwright Street. South of Crocus Street

Rob Percival, Area Planning Manager, introduced planning application number 19/02663/PFUL3, for planning permission for Cassidy Group (Arkwright Street) Limited and Sheriff Way Nottingham Limited to construct a Private Rented Sector (PRS) residential development consisting of 171 no. 1 bedroom units, 121 no. 2 bed units, and 27 studio units, with retail space, associated car parking, landscape, and associated infrastructure.

Planning permission was previously granted on the site by the Committee in January 2019 for a mixed residential development of student accommodation and PRS apartments. This is a new application for a wholly PRS apartment scheme submitted by a different developer. The applicant has responded to many of the points and concerns previously made and raised by the Committee.

Rob Percival delivered a presentation which included aerial plans, street level computer-generated images (CGIs) of each proposed elevation including the courtyard area, floor plans, massing model images and outline distance views of the scheme from different approaches and in context of existing historic assets and emerging landmarks. Comparison images were presented to illustrate how the current proposal compared to previously approved scheme and earlier versions of the application.

The following points were made by Rob Percival:

- a) the site is close to the railway station, tram stop, city bus services, and within easy walking distance of the City Centre. The development is in a regeneration area and promotes sustainable transport with the inclusion of electric vehicle charging points and cycle storage;;
- b) consideration has been given to the impact on landmark historic assets and the relationship with new developments in the immediate area. The scale of the design is found to be appropriate;
- c) the addition of the tower and reduction in scale elsewhere is felt to be a positive design change when compared to the previous scheme and would provide an appropriately located landmark in the area;
- d) as set out in the update sheet, the discussion regarding Section 106 contribution is ongoing. The recommendation is amended to propose planning permission is granted subject to determination of the final details of the Planning Obligation being delegated to the Director of Planning Regeneration in consultation with the Chair, Vice-Chair, lead opposition member and ward Councillor AJ Matsiko. It is noted that an independent assessor has been engaged to assess the applicant's viability appraisal;
- e) details of heating/cooling and lighting for the proposed apartments is set out in the update sheet, which factor in the need to address predicted climate change;
- f) the Local Access Forum supports the improvements to cycle and pedestrian infrastructure within this area and for accessing the City Centre;
- g) if the scheme is approved, it will be subject to further discussion with the developers regarding design detail, the quality and colour of all building materials, including the

treatment of enclosures, landscaping and hard surfaced areas, as set out in the draft conditions, as amended in the update sheet. It is proposed that approval of the final details of the conditions be delegated to the Director of Planning and Regeneration.

The Chair emphasised the Council's determination to maximise the Planning Obligation contributions and supported strong negotiation in this regard.

Further comments and concerns from Committee members included:

- h) the provision of much needed Private Rented Sector accommodation is welcomed and the general principle of the building and overall design, including the mansards and amended detail to the corners and tower, is supported and generally considered to be an improvement on the previous scheme;
- i) ideally people should be encouraged to stay longer term in the City and not be transient so larger apartments will support this and appeal to longer term residency;
- j) the entrances need further enhancement, particularly on the corner of Arkwright Street ;
- k) clarity was sought on the maintenance responsibility for the public realm/landscaping facing the main entrance, along with the courtyard and landscaped frontages;
- l) care must be taken to ensure that the courtyard area is appropriately designed for long-term sustainability and use. Design details, including landscaping, are required for the courtyard and all external areas, including boundary treatments, and should incorporate elements of the City Council's environmental themes such as 'bee friendly' planting and suitable trees for shade and interest;
- m) the roof-top photovoltaic panels are welcomed but a commitment for this to be maximised is requested as this is a large area offering significant capacity;
- n) whilst the relatively low level car parking provision is welcomed, the proposal for only 9 electric vehicle charging points will not be adequate in the longer-term so it is requested that the infrastructure for an increased number of points is included in the initial build, enabling the number of charging points to be easily increased as necessary;
- o) appropriate cycle storage, including space for e-cycles (which are much larger than pedal bikes) with charging points, is required;
- p) the tower is an interesting form and improvements to its design, including a more regular fenestration pattern, is welcomed;
- q) improvements to the mansard roof are evident although it was questioned whether a further refinement could be made on the Arkwright Street frontage;
- r) the variegated nature of the bricks appears to be substantial in the presentation but members should be consulted with actual samples prior to determination, especially with regard to the potential for a lighter brick to be used within the courtyard;
- s) Committee members feel that the use of good quality and durable hard surfaced materials is vital and requires further discussion as part of a condition. There have been

issues on previous projects (unrelated to the applicants and not necessarily requiring planning permission) whereby paving has failed. Such issues must be avoided;

- t) the proposed boundary treatment is welcomed and confirmation that the illustrated design will be adopted would be welcomed, particularly as it prevents litter traps;
- u) with the expanse of large windows, concern was expressed that with differing interior design aspirations of tenants, without mirrored window glass, the occupied building may appear messy;
- v) it is a real concern that in a recent new development there are problems with too much heat on the top floor so further discussion on heating and cooling to ensure that the same or similar issues do not occur in this or future developments is necessary. It is important that heating and cooling management is appropriate, and excess heat doesn't enter the building in the first place as once the heat is in a building, it's difficult to extract, particularly for south facing apartments with no through-draft (there is reference to natural ventilation, but only marginal). Residents must be protected from excruciating summer heat and the open space provision must be appropriate as an area to escape to.

Rob Percival responded as follows:

- w) with regard to unit size and make up of units, all meet national space standards which have been re-enforced through the adoption of the Land and Planning Policy Document earlier in the year. The mix of 1 and 2 bedroom apartments is as expected for a development of this type and in this location. Developers have a good understanding of the market and maximising uptake. The smaller studio units are few in number and this has been negotiated down since the initial scheme. The size of these studio units is proportional to the size requirement of a 1 bedroom unit;
- x) as this is a private rented scheme, strong management control and maintenance of all communal areas is expected throughout the site, including the courtyard and external space at the west end of the site, part of which is currently public highway but will be incorporated within the development. Draft condition 17 requires confirmation of management and maintenance arrangements.
- y) the detail of the landscaping must be agreed by Planning Officers so can be closely scrutinised with regard to species, size and quality. The appropriate planting and maintenance of the courtyard and external areas can be dealt with under the currently suggested conditions. It is acknowledged that there are on-going issues with landscaping within the courtyards of another development within the locality, but aspirations for the landscaping in this development are high;
- z) the photovoltaic panel capacity of the roof is expected to be maximised and details must be provided for approval;
- aa) amendments to the design of the main entrances are already addressed within draft conditions 7 and 8 regarding materials and design detail, as outlined in the update sheet;

- bb) as this is a residential building the intention is to use normal, clear glazed windows. Mirrored glass is generally associated more with commercial buildings and would not be appropriate to the function or appearance of this building. Other similar schemes are generally well managed and have not presented any issues regarding the external impact of internal décor;
- cc) whilst there are 319 units within the development, there is capacity for 324 bicycles in the dedicated secure storage areas on the ground floor, so there is no need to store cycles in apartments. With regard to the provision of e-cycle secure storage, the suggestion is welcomed and conditions can be amended to include secure e-bike storage and charging point facilities. There is also scope within existing draft conditions to require capacity to expand the infrastructure for charging points when necessary.

Paul Seddon, Director of Planning and Regeneration, responded that the scheme meets the City Council's requirements as set out in the Council's Planning Policies. Learning is ongoing for all parties with regard to longer term sustainability and the aim for a Carbon Neutral Nottingham by 2028. This scheme has been progressing for quite a while and it is positive that the current developers are willing to exceed the required standards of building regulations. There is potential for a further condition to request detailed information on how the heat management of the building will be dealt with, but there are limitations within the Planning Policies as to what the Committee may feasibly require of the scheme.

With regard to the S106 Planning Obligation contribution, the councillor consultation meeting detailed in the amended recommendation will need to be held before the permission can be issued. Discussions with the developer regarding materials and design details will take place at a later stage so it is not feasible to request of the developers that consultation on both takes place at the same time.

Nigel Turpin, Heritage and Urban Design Manager, assured the Committee that regarding the quality of materials for the hard surface treatment within the public realm, the Street Scape Design Manual lists a pallet of materials for use in this location which will ensure that the appropriate quality is provided, with specific regard to the material, its colour, specification and the need to minimise any future maintenance issues. The scheme referred to where paving had failed was on private land and not subject to the same rigorous standards of durability set in the Street Scape Design Manual.

It is noted that as they were not in attendance for the whole item, Councillor Leslie Ayoola and Councillor Mohammed Saghir were not eligible to vote on this item.

Resolved

- 1) **to grant planning permission subject to:**
 - (a) **prior completion of a Section 106 Planning Obligation that may include Local Employment and Training opportunities and potentially financial contributions toward Public Open Space, Affordable Housing, Education and Local Employment and Training; and**
 - (b) **conditions substantially in the form of those listed in the draft decision notice at the end of this report along with the amendments listed in the Planning Committee Update Sheet, further amendments to cover the**

infrastructure for additional EVCPs, facilities for E Bikes within the cycle stores and the detailing of the double height elements of the mansard roof, and an additional condition requiring the approval of the details of the heating and cooling management of the building;

- 2) to delegate the power to determine the final details of the conditions to the Director of Planning and Regeneration;**
- 3) to delegate the power to determine the final details and terms of the Planning Obligation (including whether all or just some of the financial contributions listed above should be sought and the quantum of the relevant contributions) to the Director of Planning and Regeneration, in consultation with the Chair, Vice Chair, Opposition Spokesperson and Councillor AJ Matsiko, and subject to him being satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the Planning Obligation 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.**

6 Applications Approved by Delegated Authority (for noting)

a Site Of 2, Queens Road, Nottingham

Due to the restrictions placed upon working arrangements as a result of the Covid-19 pandemic, it was not possible for the Planning Committee scheduled for 22 April 2020 to formally be held. However, there were applications that required determination by Planning Committee at that time so alternative arrangements were made to enable business to continue as usual. Following consultation with the members of the Planning Committee, the applications were referred to the Chief Executive for determination to be made as Urgent Non-Executive Decisions under Delegation 24 of the City Council's Scheme of Delegation and published to the City Council's website.

The application, reference 19/00936/PFUL3, regarding the site of 2 Queens Road Nottingham, sought planning permission from Core Architects on behalf of I. H. Moore and Company (Holdings) Ltd. for the erection of nine and six storey building to provide 39 no. apartments (C3) and 2 no. ancillary commercial units (A3 and / or B1), including formulation of new dropped kerb vehicular access from Queen's Road for servicing area and, associated hard and soft landscaping works.

Resolved to note that application 19/00936/PFUL3 was granted planning permission as an Urgent Non-Executive Decision taken by the Chief Executive under Delegation 24 of the City Council's scheme of Delegation on 29 April 2020.

b Lenton Boulevard Service Station, 199 Lenton Boulevard

Due to the restrictions placed upon working arrangements as a result of the Covid-19 pandemic, it was not possible for the Planning Committee scheduled for 22 April 2020 to formally be held. However, there were applications that required determination by Planning Committee at that time so alternative arrangements were made to enable business to continue as usual. Following consultation with the members of the Planning Committee, the applications were referred to the Chief Executive for determination to be made as Urgent Non-Executive Decisions under

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Delegation 24 of the City Council's Scheme of Delegation and published to the City Council's website.

The application reference 19/02869/PVAR3 regarding the site of Lenton Boulevard Service Station, 199 Lenton Boulevard , sought planning permission for Zenith Planning And Design on behalf of Fibreshore Ltd, for variation of condition 4 of planning permission reference 14/00287/PFUL3 to allow the petrol filling station and shop to operate 24/7, and to allow the operation of the automatic car wash to restricted hours and to allow the jet wash to operate at alternative hours to the 2014 permission without enclosure.

Resolved to note that application 19/02869/PVAR3 was granted planning permission as an Urgent Non-Executive Decision taken by the Chief Executive under Delegation 24 of the City Council's scheme of Delegation on 29 April 2020.

7 Future meeting dates

Resolved to note that the next Planning Committee will be held on 22 July 2020 and that further dates will be confirmed following a summer review of future meetings and how they are to be held.