

## Nottingham City Council

### Planning Committee

Minutes of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 22 December 2021 from 2.32 pm - 3.49 pm

#### Membership

##### Present

Councillor Michael Edwards (Chair)  
Councillor Graham Chapman (Vice Chair)  
Councillor Leslie Ayoola  
Councillor Maria Joannou (minutes 48-51 inclusive)  
Councillor Gul Nawaz Khan  
Councillor Pavlos Kotsonis  
Councillor AJ Matsiko  
Councillor Toby Neal

##### Absent

Councillor Azad Choudhry  
Councillor Kevin Clarke  
Councillor Angela Kandola  
Councillor Sally Longford  
Councillor Ethan Radford  
Councillor Mohammed Saghir  
Councillor Wendy Smith  
Councillor Cate Woodward

#### Colleagues, partners and others in attendance:

Paul Seddon	Director of Planning and Regeneration
Martin Poole	Area Planning Manager
Tamazin Wilson	Solicitor
Scott Talbot-Hartshorne	Highways Officer
Nigel Turpin	Team Leader, Planning Services
Catherine Ziane-Pryor	Governance Officer

#### 48 Apologies for Absence

Councillor Azad Choudhry - unwell  
Councillor Angela Kandola – personal reasons  
Councillor Sally Longford – personal reasons  
Councillor Mohammed Saghir –personal reasons  
Councillor Ethan Radford – personal reasons  
Councillor Wendy Smith – personal reasons  
Councillor Cate Woodward – personal reasons

#### 49 Declarations of Interests

None.

#### 50 Minutes

Subject to removing the reference to Councillor AJ Matsiko abstaining from voting in minute 45, 45 Watcome Circus, (as he did not), the minutes of the meeting held on 17 November 2021 were confirmed as a true record and signed by the Chair.

**51 Diamond Plaza Daleside Road Nottingham NG2 3GG**

Martin Poole, Area Planning Manager, introduced planning application number 21/01515/PFUL3 by Williams Gallagher on behalf of Nottingham Community Housing Association Ltd, Liberty Property Co II Ltd & GEDA Construction Company Ltd which requests planning permission for the partial demolition of existing buildings and erection of 82 dwellings with associated access, parking and landscaping.

The application is brought to Committee because the application is recommended for approval but planning obligations are proposed to be waived.

Martin Poole delivered a presentation showing a review of the current site, including aerial views and street views, a plan of the proposed development, and computer-generated images of how the proposed development should look once completed.

The following points were highlighted;

- a) the majority of the current site will be demolished and only the buildings in one corner will be retained;
- b) the proposal is for 100% affordable housing, consisting of 40 one and two bed apartments and 42 two and three bed houses;
- c) vehicle access will be from the rear of the site with only pedestrian links to Daleside Road;
- d) the applicant submitted a viability appraisal which has been independently assessed on behalf of the Council and this concludes that the scheme is unable to provide a financial contribution planning obligation which would normally be expected under section 106;
- e) as outlined in the update sheet, the applicant has increased the number of proposed replacement trees from 26 to 32 which will improve the landscaping street scene of the proposed development.

Comments from committee members included:

- f) it's interesting to see that existing style of building has been chosen. This is welcomed as it enables members to see how the development will weather with time;
- g) Ward Councillors welcomed the proposal on a site which has been vacant for the last two years. It is noted that previously the site had included a child's play area and park, but much-needed housing is welcome in the area;
- h) there must be enough car parking spaces for the number of households;
- i) a mix of shared ownership and affordable housing may be more beneficial for the area, potentially including bungalows, of which there is a shortage;

- j) the increase in the number trees is very much welcomed;
- k) the diversity of the housing within the offer is welcome, as is the general design of the scheme, and the absence of render. In these circumstances, the loss of employment land can be totally justified;
- l) although a contribution to Section 106 funding cannot be provided by the developer, this is an important housing development, which will benefit the area and is welcomed;
- m) the inclusion of architectural detail and the general use of brick is welcomed, but the use of merely painted metal RSJs above some external door entrances is confusing and distracts from the detail of the brickwork;
- n) further consideration is required regarding the expanses of block paving on the service roads. Previous developments have proven that it is not sustainable and is expensive to repair. An alternative, more durable and often cheaper option should be considered. Whilst there currently may be no intention for large heavy vehicles such as refuse collection lorries to access these sections of the service road, in reality this is not feasible and as previously seen in other developments, residents object to taking their refuse bins to collection points when there is space for vehicles to access the front of their homes, regardless of any damage to the surface caused by large turning vehicles;
- o) care should be taken to ensure that wherever possible, all areas are allocated to ensure there is clear responsibility for their maintenance. Without responsibility, space is not maintained, becomes neglected, littered and unwelcoming. As such the clear separation of properties with fencing should be considered;
- p) this area is regularly used for parking by football fans visiting the Forest ground on match days. The offer of Highways colleagues to look into this and deal with any issues affecting future residents is reassuring;
- q) more could be done to increase the carbon neutrality of the scheme, particularly running costs for residents. Nottingham is avidly promoting green energy schemes and cultures, so environmentally friendly aspirations need to be evident with developments such as this within the City. There needs to be an investment to reduce running costs, particularly for those who cannot afford it. At COP26 in Scotland earlier this year, Nottingham showcased 2050 NCH homes for their green energy scheme. This is a NCHA development so surely it's not impossible to adopt the same approach?
- r) the opportunity to meet with housing colleagues to discuss energy efficiency, carbon neutrality and associated costs is welcomed, as would information on how Central Government energy efficiency incentives can be incorporated.

Questions from members were responded to as follows:

- s) members of the committee are reminded that the content of the application is not determined by planning colleagues, the City Council, nor the Planning Committee. The applicant can apply for permission for whatever they choose and

beyond the remit of the City Council's Planning Policy, alternative options cannot be imposed on them. This application is at a stage when it is not reasonable to request major alterations to the application nor request a Design and Access Statement;

- t) Paul Seddon, Chief Planner, commented that the City Council cannot stipulate what is required beyond that which is stated in Planning Policy. However, there is an opportunity in the New Year to comment on the new Housing Strategy consultation, when encouraging developers to consider including a more varied mix of housing, such as bungalows, could be considered;
- u) for developers, bungalows are challenging with regard to unit density where houses and apartments provide a better return on the value of land;
- v) it may not be obvious from the images in the presentation, but on the formal drawings, the developer intends to include electric vehicle charging points. This is included within condition 16 of the draft decision notice;
- w) surface water drainage concerns are covered with condition 6 of the draft decision notice, which details the drainage scheme;
- x) whilst there are small open space areas within the development, there is no intention to include play facilities. The provision of play areas within the locality has been assessed and is considered adequate;
- y) determining limitations on construction work times, such as 'dusk till dawn', fall within the remit of Environmental Health colleagues, so planning colleagues do not get involved. However, the draft decision notice does include a condition regarding noise management for the frontage on Daleside Road, and environmental health colleagues have been consulted with regard to glazing and ventilation;
- z) as a social housing project, as much as there may be an appetite to strive for carbon neutrality, there has to be a business case to justify any significant additional spend. The scheme is unable to afford a Section 106 contribution whilst consideration has been given to achievable carbon neutral measures, additional measures would not be viable. Planning officers do request a commitment to carbon neutrality, but can only require what is specified by planning regulations;
- aa) Carbon neutrality is an evolving area and whilst ideally new build houses would automatically include features, this is not something that NCH and NCHA can currently afford. If the committee would like housing colleagues to attend a future meeting and discuss were carbon neutrality can best be achieved, and the impact on cost, this can be arranged.

## **Resolved**

- 1) to grant planning permission for the reasons set out in this report, subject to the indicative conditions substantially in the form of those listed in the draft decision notices at the end of the report;**

- 2) for the power to determine the final details of the conditions of planning permission, to be delegated to the Director of Planning and Regeneration.**

It is noted that Councillor Maria Joannou withdrew from the meeting prior to the conclusion of this item.

**52 Site Of 10 Raleigh Street Nottingham NG7 4DD**

Martin Poole, Area Planning Manager, presented application 20/02128/PFUL3 by Zenith Planning and Design on behalf of Asiana LLP for planning permission to erect a 5 storey apartment building and stop up a street corner.

The application is brought to Committee because it is recommended for approval but planning obligations are proposed to be waived.

The following points were highlighted:

- a) the site was formerly occupied by derelict pub which has since been cleared;
- b) the presentation includes an aerial view of the site and surrounding area, plans for the latest proposed development and computer generated images of how the development will look in its setting, with attention to details and the inclusion of glazed Juliette balconies;
- c) previous applications for the site had been refused and dismissed on appeal due to the significant loss of light to neighbouring buildings. This application has addressed the issues of concern by the building aligning with the frontage of the neighbouring building and not obscuring its windows;
- d) some concerns still remain for residents of the neighbouring building, but this application is acceptable in planning terms;
- e) the application for stopping-up of the highway is a separate issue and will be dealt with by highways colleagues via the appropriate process;
- f) the update sheet provides additional information on how concerns raised regarding overheating and sustainability have been addressed by the architect.

Members comments included:

- g) the proposal looks well-designed and well integrated with neighbouring buildings;
- h) if the building could accommodate solar panels, then they should be included;
- i) where the developer has volunteered a commit to design and features, it must be ensured that they are provided, possibly with an additional recommendation or condition;
- j) it is disappointing that the development cannot afford a Section 106 contribution. This appears to be an unwelcome ongoing trend.

Paul Seddon, Chief Planner, confirmed that an additional condition would be included regarding the developer honouring the design features to which it had committed.

Councillor AJ Matsiko requested that his abstention from voting is recorded.

**Resolved**

- 1) to 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, and subject to an additional condition to secure delivery of the sustainable design commitments volunteered by the applicant in their letter dated 17 December 2021;**
- 2) for the power to determine the final details of the conditions of planning permission to be delegated to the Director of Planning and Regeneration.**