

Nottingham City Council

Planning Committee

Minutes of the meeting held at Loxley House, Nottingham on 19 April 2023 from 2.30 pm - 4.13 pm

Membership

Present

Councillor Michael Edwards (Chair)
Councillor Graham Chapman (Vice Chair)
Councillor Kevin Clarke
Councillor Jay Hayes
Councillor Angela Kandola (Items 68-72)
Councillor Sally Longford
Councillor Ethan Radford (Items 68-71)

Absent

Councillor Leslie Ayoola
Councillor Azad Choudhry
Councillor Corall Jenkins
Councillor Gul Nawaz Khan
Councillor AJ Matsiko
Councillor Salma Mumtaz
Councillor Toby Neal
Councillor Mohammed Saghir
Councillor Cate Woodward

Colleagues, partners and others in attendance:

Ann Barrett	- Team Leader, Legal Services
Tahira Lee	- Solicitor, Legal Services
Rob Percival	- Area Planning Manager
Martin Poole	- Area Planning Manager
Paul Seddon	- Director of Planning and Transport
Nigel Turpin	- HUD Manager
Phil Wye	- Governance Officer

68 Apologies for Absence

Councillor Leslie Ayoola - leave
Councillor Gul Nawaz Khan – unwell
Councillor Salma Mumtaz – other Council business
Councillor Toby Neal - unwell

69 Declarations of Interests

In relation to agenda item 4a, Land at Trent Basin (minute 71), Paul Seddon stated that he is the Council's Shareholder Representative for Blueprint Limited who are the applicant. In view of the potential for a conflict of interest and/or appearance of bias Mr Seddon left the meeting prior to discussion and voting on this item.

70 Minutes

The Committee confirmed the minutes of the meeting held on 22 March 2023 as a correct record and they were signed by the Chair.

71 Land at Trent Basin, Nottingham, NG2 4BN

Further to minute 69 Paul Seddon declared an Interest in this item and left the meeting prior to discussion and voting on this item.

Martin Poole, Area Planning Manager, presented hybrid planning application 21/02550/POUT for full permission for the demolition of existing buildings and the development of 110 residential dwellings, parking barn, road infrastructure, landscaping and associated works; and Outline application (with all matters reserved) for the principle of residential development, up to 280 sq.m of cafe / food & drink floorspace (Use Class E) and Community Transport Hub.

The following points were highlighted:

- (a) the application site comprises 3.7 hectares of former industrial land, which surrounds Trent Basin on the north bank of the River Trent and to the west of Trent Lane. The site has been substantially cleared and levelled with a crushed stone surface with the exception of two groups of remaining industrial warehouse buildings;
- (b) further recent residential developments have also been completed and are ongoing to the east of Trent Lane. The surrounding sites to the west are primarily in business/light industrial uses, representing the more established character and uses that operate within the Colwick/Daleside Road industrial estate;
- (c) the submission is a hybrid application, meaning one that seeks full planning permission for part of a site and outline planning permission for the remaining part. The full submission element is for 110 dwellings. The outline element is for an unspecified further number of dwellings. The development would be constructed in a number of phases, in a similar manner to the Trent Basin development undertaken to date;
- (d) the proposed houses are in a range of terrace styles, with courtyard groupings also being included. The houses would be 2, 3, and 4 storeys, with the 4 storey units being maisonettes. The accommodation would include 2, 3 & 4 bedroom family houses and 2 & 3 bedroom maisonettes;
- (e) on site open space would be in the format of a 'pocket park' and minor play space that would be overlooked by housing to the north of the Basin. Other shared enclosed courtyard spaces are included within the layout and the edge of the Basin is given over to public realm, allowing north-south access through the proposed development. Street trees and other amenity planting are also provided throughout the proposed layout;
- (f) car parking within the proposed courtyard housing clusters would be limited to visitors and disabled car users only. Car parking for general residents is proposed within a 'parking barn' or deck car park structure that would be located to the west of the site with direct access off Poulton Drive. The 'parking barn' format is proposed to absorb the majority of parking required across the site to allow for greater community use of the public realm;
- (g) the applicant has submitted a viability appraisal with the application, which has been independently assessed by the Council's consultants. The independent

assessment agrees that the scheme is unable to provide a policy compliant S106, concluding that a reasonable argument has been presented to remove the planning policy contributions in order to give the scheme the best chance of being delivered.

Members of the Committee made the following comments:

- (h) the scheme is lacking in opportunities for biodiversity and green space, and there is little opportunity for wildlife to have a green corridor between the pocket park and the riverside, The courtyards could also include more planting and greenspace, or features to improve drainage such as wetland;
- (i) the parking barn should include Electric Vehicle (EV) charging points in every space, and some rapid charging points. Security should also be explored;
- (j) there is a lack of public transport options for this area, with just one irregular bus service along Daleside Road;
- (k) it is disappointing that this scheme is unable to provide S106 funding;
- (l) the design of the buildings is good, and the ideas to reduce street parking should be commended. The materials used must be of high quality. There have been problems on the earlier phases of Trent Basin with the brick and wooden elements not being durable.

The following responses were provided by officers:

- (m) the applicant has submitted a biodiversity matrix which shows there is a net gain from this development. Conditions relating to landscaping and drainage are still to be resolved. There is limited opportunity for green roofs due to the design of the buildings;
- (n) whilst EV charging points are generally covered through building regulations for new developments that may not be the case here as there is no allocated parking. On that basis it would be appropriate for a further condition to be imposed requiring the provision of EV charging points within the parking barn. Security and management of the parking barn is however primarily a matter for the developers, though some amendments can be made to draft condition 20 of the planning permission to address these concerns.

Resolved

(1) to grant planning permission, subject to:

(a) prior completion of a Section 106 Planning Obligation which shall include:

- i) the provision of public access through the site to the section of riverside walkway and edges of the Basin, and to enable the connection of the riverside walkway to adjacent sites so as to provide a continuous riverside walkway**
- ii) management and maintenance of public spaces and riverside path**

- (b) conditions substantially in the form of those listed in the draft decision notice at the end of this report, but to also include:-**
- i) amendments to condition 20 to include the submission of details regarding the provision of EV charging points in, and security for, the parking barn for approval and thereafter implementation and**
 - ii) an additional condition requiring a scheme of biodiversity measures to be submitted and implemented once approved.**

Power to determine the final details of both the terms of the Planning Obligation and conditions of planning permission be delegated to the Area Planning Manager.

- (2) The Committee is 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.**

72 Playing fields to the South and West of Westbury School, Chingford Road, Nottingham

Rob Percival, Area Planning Manager, presented planning application 22/02157/PFUL3 by Strata, for a residential development of 130 new homes alongside associated site infrastructure, open space, and landscaping.

The following points were highlighted:

- (a) the application site is an area of open space of 6.16ha adjacent to Westbury Academy in Bilborough. The site is bound on all sides by existing development; Chingford Road to the south, Westbury Academy to the south east, Denewood Crescent to the east, Yatesbury Crescent to the north and Wigman Road to the west;
- (b) the site is allocated for housing in the LAPP and can provide policy compliant s106 obligations as well as a biodiversity net gain;
- (c) the site's topography rises to the north-west corner but otherwise the site is generally level and flat. Public pedestrian access can be achieved via Yatesbury Crescent and St Martin's Road. There are also a number of unrecorded public rights of way across the site that have most likely acquired public status by default through long use and should be treated as public. The site currently does not have vehicular access;
- (d) planning permission is sought for the construction of 130 new homes at a proposed density of 32 dwelling per hectare. 20% of the houses would be affordable i.e. 26 units. Properties are a mix of two, two and half and three storeys in height. The development is made up of a mixture of terrace, semi-detached and detached properties with parking provided to the front and side of the properties;

- (e) a high level of green infrastructure totalling 2.1ha is to be incorporated in the site, including the provision of a large amenity area of public open space that is to incorporate a Sustainable Urban Drainage (SUD) feature in the form of an attenuation basin. Informal public routes across the site will be replaced by a network of paths to be dedicated as public rights of way.

Members of the Committee made the following comments:

- (f) issues have been raised regarding the boundary treatments to surrounding properties and the frontages of the proposed dwellings, and the current proposal of overlapping board fencing and low shrubbery is not sufficient. This is noted and to be addressed through one of the proposed conditions;
- (g) as the 3 storey houses are at the central part of the site they should not cause overlooking;
- (h) the varied biodiversity of the site is welcomed. It is disappointing that the houses will have gas boilers and not air source heat pumps.

Resolved to

(1) grant planning permission subject to

- (a) prior completion of a Section 111 Agreement to secure a section 106 planning obligation to provide for:**
 - (i) an on-site provision of 20% affordable housing;**
 - (ii) a financial contribution of £63,885 towards employment and training together with the provision of employment and training opportunities during the construction phase;**
 - (iii) a financial contribution of £390,427 towards secondary school provision.**
 - (b) the indicative conditions substantially in the form of those listed in the draft decision notice at the end of this report and in the update sheet.**
- (2) Delegate power to determine the final details of the planning obligation (including affordable housing mix) and conditions of planning permission to the Director of Planning and Regeneration;**
- (3) Confirm that the 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.**

73 Maythorn House, 1 Bridgewater Close, Nottingham

Martin Poole, Area Planning Manager, presented planning application 22/01763/PFUL3, by CPMG Architects on behalf of Pelham Waterside Two LLP, for the approval of a new 4-storey block containing 22 apartments and associated external works.

The following points were highlighted:

- (a) planning permission has been previously granted on 11 December 2020 for the redevelopment of the larger site, including the demolition of the previous buildings and the construction of 12 houses and 27 apartments, with associated infrastructure (19/02505/PFUL3). Whilst the approved development was put out to competitive tender, the returned tenders exceeded the development value, particularly in the case of the apartment element, and therefore it was decided that the apartment design needed to be revisited to make it commercially viable;
- (b) the application proposes the alternative development of the apartment block element of the granted planning permission with a 4-storey block containing 22 apartments and associated external works. The proposed apartments block would contain 7 one-bed apartments and 15 two-bed apartments. The building would have a square plan form, with a stair and lift core centrally positioned within the plan;
- (c) contributions totalling £386,677.59 secured through Section 106 obligations, are required to comply with the council's planning policies. The applicant has submitted a viability assessment seeking to demonstrate that the development would be unviable if these contributions are made. The viability assessment is the subject of an independent review process which is not yet complete.

Resolved to

- (1) indicate the Committee's approval in principle to the proposed form of development subject to the outcome of the Viability Assessment review;**
- (2) delegate the power to grant planning permission to the Director of Planning and Transport in the event that the Viability Assessment review indicates that the Development is not viable were policy compliant planning obligations to be required, subject only to conditions substantially in the form listed in the draft decision notice at the end of the report, the final details of which shall be in his discretion;**
- (3) delegate the power to grant planning permission to the Director of Planning and Transport In the event that the Viability Assessment review indicates that the Development is sufficiently viable to provide some or all of the required policy compliant planning obligations,**
 - (i) subject to the prior completion of a Section 106 Agreement to include:**
 - (a) a financial contribution towards off-site public open space and/or;**
 - (b) a financial contribution towards education provision.**
 - (ii) subject to conditions substantially in the form listed in the draft decision notice at the end of this report, the final details of which shall be in his discretion.**