

## **NOTTINGHAM CITY COUNCIL**

### **PLANNING COMMITTEE**

**MINUTES of the meeting held in the Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 17 July 2019 from 2:31pm to 4:21pm**

#### **Membership**

##### Present

Councillor Michael Edwards (Chair)  
Councillor Graham Chapman (Vice Chair)  
Councillor Leslie Ayoola  
Councillor Kevin Clarke  
Councillor Gul Nawaz Khan (items 7-11)  
Councillor Pavlos Kotsonis  
Councillor AJ Matsiko  
Councillor Lauren O`Grady  
Councillor Ethan Radford  
Councillor Mohammed Saghir (items 7-11)  
Councillor Wendy Smith (items 7-11)  
Councillor Cate Woodward

##### Absent

Councillor Cheryl Barnard  
Councillor Azad Choudhry  
Councillor Sally Longford  
Councillor Audra Wynter

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

Ann Barrett	- Legal Team Leader, Planning and Environment
Adrian Mann	- Governance Officer
Peter McAnespie	- Partnership and Local Plans Manager
Councillor Anne Peach	- Councillor for Radford Ward
Martin Poole	- Area Planning Manager
Paul Seddon	- Director of Planning and Regeneration
Nigel Turpin	- Team Leader, Planning Services

#### **7 COMMITTEE MEMBERSHIP**

The Committee noted that Councillor Leslie Ayoola has replaced Councillor Audrey Dinnall as a member of the Committee.

#### **8 APOLOGIES FOR ABSENCE**

Councillor Cheryl Barnard	- Council business
Councillor Sally Longford	- Council business
Councillor Audra Wynter	- Council business

#### **9 DECLARATIONS OF INTERESTS**

None.

## **10 MINUTES**

The Committee confirmed the minutes of the meeting held on 19 June 2019 as a correct record and they were signed by the Chair.

## **11 NOTTINGHAM SCHOOL OF MARTIAL ARTS, ILKESTON ROAD**

Martin Poole, Area Planning Manager, introduced application number 19/00393/POUT for outline planning permission by McAfee Design Ltd on behalf of Mr Tony Vohra for the erection of up to 42 Studio Apartments (Student Accommodation).

A list of additional information, amendments and changes to the item since the publication of the agenda was included in an update sheet, which was circulated at the meeting and appended to the agenda published online. This included reference to an updated energy strategy, a request from the Nottingham University Hospitals NHS Trust seeking a financial contribution towards secondary healthcare provision through the proposed Section 106 Agreement, a further letter of representation against the proposals and an update to the petition received during the application consultation process.

The application was brought to the Committee at the request of a local Ward Councillor, who had raised valid planning concerns.

To meet the Council's Performance Targets, this application should have been determined by 10 June 2019. However, an extension of time had been agreed with the applicant.

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

- (a) the proposed development is located next to two small estates, including an independent living complex, which are both stable communities. There is a large student population in the ward as a whole already, living in either existing dedicated student accommodation, or in residential houses in multiple occupancy;
- (b) these residential communities are extremely concerned about the possible impact of further student accommodation in their area due to the potential for anti-social behaviour, unsociable noise and extra demand for on-street parking spaces for extended periods of time. These issue could lead to the need for additional community policing and parking enforcement, though the local universities do contribute to this provision, and towards ensuring that there is enough capacity on public transport;
- (c) a petition against the proposals has been signed by 81 local residents, who hope to see the current building retained as a community amenity, as they do not feel that this is an appropriate location for a student complex.

The following points were discussed:

- (d) the existing building is a white-painted structure situated on the corner of Ilkeston Road and Cobden Street. It is set back from Ilkeston Road and elevated from the roadside. It has been added to over time, with a mix of flat and dual-pitched roof slopes, and does not appear to be in a good state of repair. It backs onto a two-storey former factory that has been converted to residential use. The site is situated in a mixed-use area with residential and commercial properties, and it is relatively close to both of the City's university campuses, with good public transport links;
- (e) outline planning permission is sought for the demolition of the existing building and the construction of a 3½-storey structure to provide up to 41 one-bed studio student flats, following the same building line. A red brick building with a central access point from Ilkeston Road is proposed, with a ground-floor communal area at the front and a courtyard area to the rear, for cycle parking. Due to design concerns raised during the application process, the plans were updated with the introduction of projecting, oriel windows and the removal of dormer windows on the rear elevation of the building, and the communal area was repositioned. An updated energy strategy included fabric and ventilation improvements and the introduction of onsite power generation with the provision of solar panels on the rear roof slope;
- (f) the proposal has caused significant local concern, which has been expressed through letters and a formal petition with 81 signatures. However, in relation to the matters requested by the petition:
  - (i) there is no planning requirement for a public meeting or consultation, and the relevant neighbour notifications had been given;
  - (ii) the heritage value of the building has been assessed, but it was not felt to be of sufficient historic or architectural significance to merit addition to the local list of undesignated heritage assets, or for it to be given a national listing. The building, therefore, has no statutory protection from demolition and the loss of the building cannot form a basis for refusal of the application;
  - (iii) given that the building is in private ownership, the future of the building and its usage – and any consultation with local residents on that future and usage – is at the discretion of the owner;
- (g) Nottingham University Hospitals NHS Trust had sought a financial contribution of £17,291 from the development towards secondary healthcare provision through the proposed Section 106 Agreement, for the provision of health services to the community. Healthcare provision is a material planning consideration. However, this request was submitted at a late stage (17 weeks after validation of the application), with limited prior discussion. The Committee agreed that no health contribution should be sought through the Section 106 Agreement, as there was insufficient evidence for the Committee to be satisfied that Regulation 122(2) of the Community Infrastructure Levy Regulations was met. Moving forward, however, Planning Officers should liaise with the Trust to address the queries raised and develop a robust and tested case/formula for any contributions requested in the future, including a specific understanding of on what services the funds would be spent;

- (h) in relation to the design, the Committee was concerned that the proposed frontage lacked interest and did not make a sufficiently positive statement on the wider streetscape, with the difference in levels making the overall appearance uncomfortable. The main entrance was not sufficiently prominent and should be developed to be more significant. The corner of the building at Ilkeston Road and Cobden Street is very sharp and could be rounded to make a more attractive design feature, with the possibility of the introduction of a planter at street level. Chamfering could be introduced to reflect other built architecture in the area. Due to the simple nature of the proposed building, the windows represent a significant design element and should be addressed carefully to create interest while ensuring privacy. Features such as the headers and sills could be developed, to enhance the overall appearance. In terms of design choices, it is unusual to see ground floor windows being smaller than those above;
- (i) the Committee noted that the details of access and landscaping are reserved for a future submission. However, it recommended that, in the context of Council policy and plans, the design should give strong consideration to the introduction of shrubs and vegetation to improve biodiversity, and means of limiting the impermeable hard-standing on the site as much as possible for the purposes of promoting ecology and natural water drainage. The building's accessibility provision, both inside and out, must be effective, welcoming and inclusive, and meet the full requirements of best practice;
- (j) in general terms, it is Council policy to support the development of designated student accommodation in appropriate areas, to reduce student demand for residential housing that could be used by families. However, there is a significant and intensifying student population in the Radford Ward, in particular. Whilst the proposed development does not create a large number of dedicated student dwellings, it has the potential to have a significant impact on local residents. However, students do make a positive contribution to the life and growth of the City and its communities, as a whole;
- (k) as such, the consideration of the proposals requires a careful balance to be struck between the general requirement to provide designated accommodation for students in the City, the probable level of community impact on existing residents affected by a given proposal, and the overall quality of the building design. Following consultation with the applicant and the architect to develop the design over the application period, the Planning Officers were satisfied that the proposals, and their potential impact on the local community, were acceptable in the context of the requirements of the Planning policy framework.

**RESOLVED to delegate power to determine the application to the Director of Planning and Regeneration, in consultation with the Chair, Vice Chair, opposition member and Councillor Pavlos Kotsonis, subject to the Director of Planning and Regeneration being satisfied that any Section 106 Agreement sought complies with the requirements of the Community Infrastructure Levy Regulations 2010 (as amended).**

## **12 CONSULTATION ON DRAFT LOCAL PLAN DOCUMENTS**

Peter McAnespie, Partnership and Local Plans Manager, presented a report on the draft Open Space, Biodiversity and Caves Supplementary Planning Documents (SPDs), and the draft Statement of Community Involvement (SCI), and sought the Committee's views on these published documents as part of the six-week statutory public consultation period, which ends on Friday 9 August. The following points were discussed:

- (a) the 2005 Local Plan is in the process of being replaced by a new, two-part Local Plan. 'Part 1 – The Aligned Core Strategy' sets out the overarching spatial vision for the development of Nottingham and was adopted in 2014. 'Part 2 – The Land and Planning Policies' (LAPP) document contains policies to guide the development of Nottingham and identifies sites for development and for protection. Part 2 will, potentially, be adopted in November 2019;
- (b) a number of SPDs are being drafted in support of the LAPP, which add further detail to policies and provide additional guidance for development on specific sites, or on particular issues, such as design. SPDs are a material consideration in planning decisions, although they are not part of the Plan itself;
- (c) the new SCI is also being produced to explain the Council's approach to Planning consultation for Planning applications, Local Plans, SPDs and Neighbourhood Plans, and to reflect changes in the planning system. The Committee suggested that, to ensure that citizens were made aware of Planning applications and documents in good time to react to them, guidance should be included on how to make the best use of social media to communicate the information as widely and as rapidly as possible;
- (d) the Provision of Open Space in New Residential and Commercial Development SPD gives guidance on how much open space should be provided on sites, or what level of commuted sum is appropriate in lieu of onsite provision as part of a Section 106 Planning Obligation. It covers both residential developments of greater than nine homes and commercial projects greater than 1000 square meters, which is a new initiative intended to bring a substantial enhancement to the public realm in the City. The scope of the SPD is to define the size of the open space requirement in relation to a given development, rather than to address the design and materials used for these spaces. It will fall to the developer to put measures in place for the ongoing maintenance of the open spaces created as part of a given project. The Committee noted that many citizens were concerned about the loss of open space in the City and recommended that the LAPP document should ensure the protection of these important areas. The Committee also suggested that guidance should be given on how to provide and maintain good connectivity for mobile devices across open spaces through an appropriate policy document;
- (e) the Biodiversity SPD is a new document that sets out how developers can address biodiversity obligations in the context of Government policy to increase biodiversity, which includes the protection of both species and habitats. It offers guidance on the scope and timing of work to accompany planning applications and a checklist of biodiversity features, and it includes information on the

requirements for protecting the environment when construction work is underway, including measures for good soil management. The Committee suggested that this SPD should not only consider species type, but also volume of species;

- (f) the Management of the Caves of Nottingham SPD provides guidance for developments that may affect caves, including how caves should be assessed for their importance and significance, evaluating the impact of development and mitigating any potential harm. 'A Technical Guide for Cave Owners' is being produced in support of the guidance. The Committee suggested that this SPD and/or technical guide should include information on appropriate uses for caves, such as for hydroponics.

**RESOLVED to note the draft Statement of Community Involvement and Supplementary Planning Documents in relation to Open Space, Biodiversity and Caves, and recommend that officers consider the comments made by the Committee, above, as part of the formal consultation process on the documents.**