

## Report of the Chief Executive

**17/00873/FUL  
CHANGE OF USE FROM RETAIL (CLASS A1) TO RETAIL AND  
RESIDENTIAL (CLASS C3) TO CREATE 6 FLATS AND EXTERNAL  
ALTERATIONS INCLUDING SIDE DORMER  
54 DERBY ROAD, STAPLEFORD, NOTTINGHAMSHIRE**

1 Details of the application

- 1.1 The application was first brought before Planning Committee on 18 April 2018 with a recommendation for approval (original report attached as an appendix). Members deferred making a decision on the application due to concerns regarding parking.
- 1.2 It was requested by members for parking permits for the new occupants to be issued for the Victoria Street car park, directly opposite the site, and if the Highways Authority could put a regulation in place which would prevent occupants of the proposed flats parking on William Road.
- 1.3 A traffic survey to demonstrate the levels of parking has been submitted.
- 1.4 The Victoria Street car park is free of charge for one hour and charges are applied after that. The car park is free of charge from 4:00pm - 8:00am Monday to Friday, 12:00pm onwards on Saturday and all day on Sunday.

2 Consultations

- 2.1 Stapleford Town Council raise no objection but have reservations regarding the positioning of the dormer windows and parking issues on William Road, particularly in the evening.
- 2.2 The Senior Environmental Health Officer advised that they are in agreement with the principle of the noise report submitted (12455.01.v1). However, it only made reference to traffic noise and not the air handling and refrigeration units to the rear of Farmfoods. An amended report was submitted that dealt with this matter and no objections were received in relation to the information provided.

3. Assessment of amended proposals

3.1 Nottinghamshire County Council as Highways Authority have stated that permits would be automatically given to residents of the proposed flats due to their positioning on the corner of William Road. No restrictions could be put in place to prevent permits being issued or to prevent parking from these residents on William Road.

3.2 The Parking and CCTV/ Security Manager has advised that the Victoria Street car park is a short stay public shoppers car park. Residential parking permits have not been issued in town centre car parks due to the demand for high turnover to maintain and improve town centre trade and vitality. Therefore, granting permits in public car parks would compromise this and have a detrimental effect on businesses and trading.

4. Parking

4.1 The survey concludes that, at the times recorded, William Road had no less than 21 spaces available, Albert Avenue had no less than 14 spaces available, Victoria Street car park had no less than 17 spaces available and Victoria Street had no less than 7 spaces available. The report indicates that there is sufficient parking provision within the local area that can accommodate the vehicles generated by this development. Officers have carried out their own survey of parking provision and this supports the results of the submitted parking survey. The survey carried out by the officer concluded that, at 12:00pm on a Friday, William Road had 30 spaces available, Albert Avenue had 16 spaces available, Victoria Street car park had 24 spaces available and Victoria Street had 10 spaces available.

4.2 The parking survey, coupled with the comments from the Highways Authority, and the fact the site is located within a town centre location, means it is not considered justifiable to refuse this application based on a lack of parking provision within the locality, as the proposed development would not lead to a detrimental impact on highway safety. As such, the recommendation for approval remains the same.

5. Conclusion

5.1 It is concluded the proposal of converting the building into six flats, external alterations (including a dormer) and the retention of an A1 use at ground floor is acceptable and will not have an adverse effect on neighbouring amenity or highway safety. Parking restrictions are a matter dealt with by the Highways Authority and adequate parking is available within the vicinity. The proposal therefore accords with Policies H4, T11 and S1 of the Broxtowe Local Plan, with Policies 6, 8 and 10 of the Broxtowe Aligned Core Strategy, Policies 10, 15 and 17 of the Draft Part 2 Local Plan and with the National Planning Policy Framework.

**Recommendation**

**The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions:**

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of the permission.
2. The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 27 December 2017, Proposed Elevations and Roof Plans received by the Local Planning Authority on 20 March 2018 and Proposed Floor Plans received by the Local Planning Authority on 22 March 2018.
3. Any materials used in the external alterations of the building should be of a type, texture and colour so as to match those of the existing building.

#### Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).

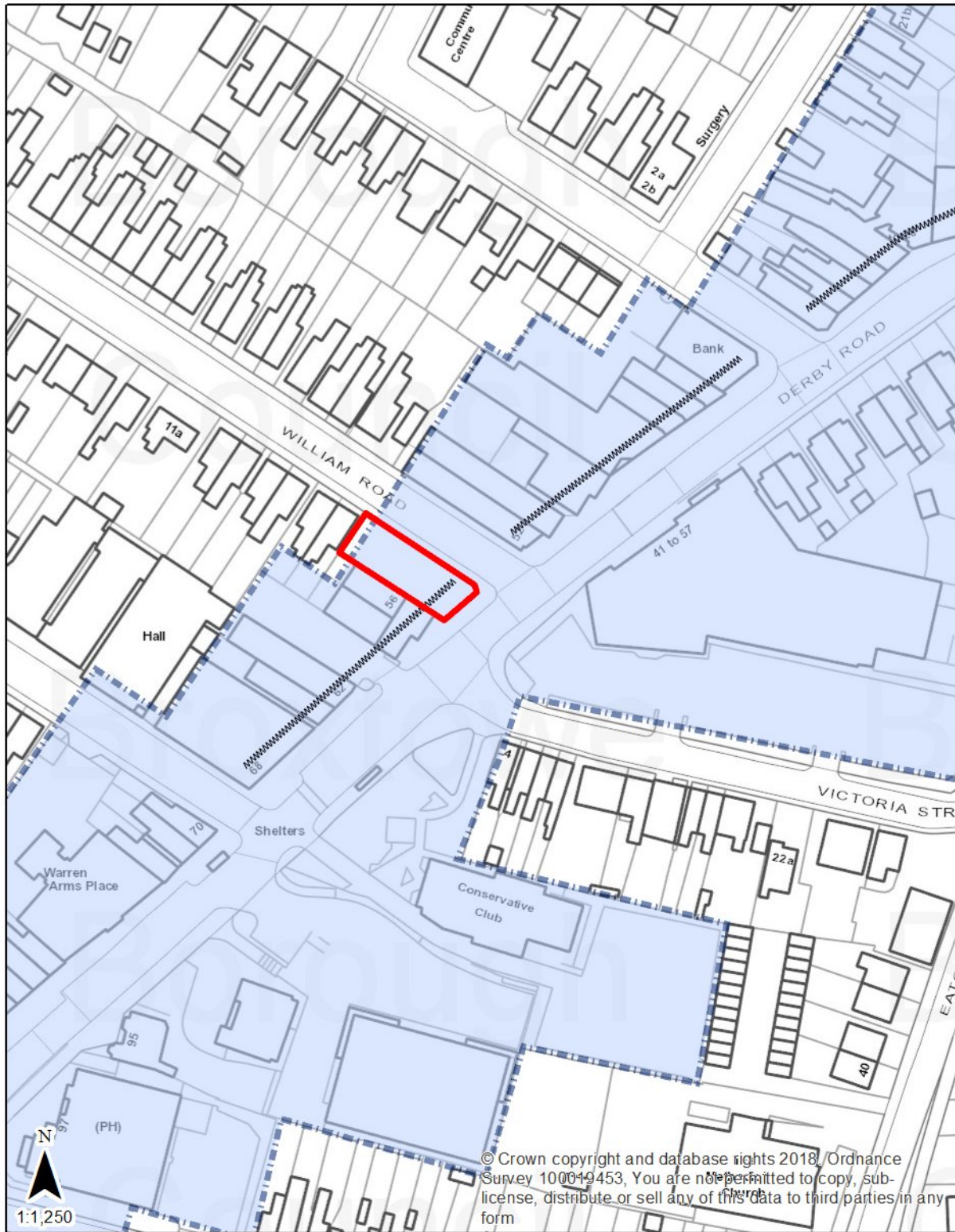
#### Note to applicant:

1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework by working to determine this application within the agreed determination timescale.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning/development-in-former-coal-mining-areas/>

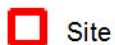
#### Background papers

Application Case File

Appendix – Planning Committee report dated 18 April 2018



**Legend**



Site



Prime shopping frontages



Town centre