

**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>20/00674/FUL</b>
<b>LOCATION:</b>	<b>Land to the rear of Methodist Church, Wollaton Road, Beeston, Nottinghamshire, NG9 2NG</b>
<b>PROPOSAL:</b>	<b>Construct 3 storey building to contain 6 houses of multiple occupancy (Class C4) and construct cycle store and bin store</b>

The application is brought to the Committee at the request of Councillor G Marshall.

1 Executive Summary

- 1.1 The application seeks permission for the construction of a three storey building comprising six Houses in Multiple Occupancy (HMO) flats and the provision of a cycle and bin store.
- 1.2 The site is located within the town centre to the rear of the Methodist Church. The building would physically connect to the rear elevation of the Methodist Church. The Methodist Church has received permission to be converted from a place of worship to three houses in multiple occupancy with dormers and external alterations.
- 1.3 The main issue relates to whether the principle of the building would be acceptable, if there is an acceptable level of design, if there is an acceptable impact on neighbour amenity and if it is acceptable in relation to highway safety.
- 1.4 The benefit of the proposal is that it would provide additional residential accommodation in an existing urban area. However, it is considered that the building represents an overdevelopment of the plot due to its excessive massing and proximity to neighbouring boundaries. It is considered the excessive massing and scale and proximity to boundaries would give a poor outlook for future occupiers at ground floor level and also have a detrimental impact on the amenity of the neighbours on Wilkinson Avenue. The design is considered to be unacceptable due to it being a mix between traditional and contemporary which would have a negative impact on the Methodist Church. The massing and scale of the building are considered to compete with the Methodist Church and therefore would have a negative impact on the street scene of Wollaton Road. On balance, although the scheme would result in six HMO flats, this is not enough to overcome the concerns raised and therefore the application should be refused.
- 1.5 The Committee is asked to resolve that planning permission be refused subject to the reasons outlined in the appendix.

**APPENDIX****1     Details of the Application**

- 1.1     The application seeks permission for the construction of a three storey building comprising six HMO flats (Houses in Multiple Occupancy) and the provision of a cycle and bin store. Each floor would have two flats consisting of between three to five bedrooms, en-suites and kitchen/living/dining areas. The main entrance would be accessed next to the rear elevation of the Methodist Church.
- 1.2     The building would have a flat roof, with windows and dormers in each elevation. The building will physically adjoin the Methodist Church and internal access will be created between the two buildings at second floor level. The building would be between 0.9m and 2.7m from the adjoining boundaries.
- 1.3     An L-shaped cycle store for 30 bicycles and a bin store will be positioned to the north east of the building.
- 1.4     The building would be constructed from bricks, stone detailing and aluminum cladding. The ground and first floor would reflect a traditional appearance with red brick, long, curved windows with stone headers. The second floor would reflect a contemporary appearance with rectangular dormers in an aluminium clad flat roof.

**2     Site and surroundings**

- 2.1     The application site forms part of a garden area that would have been formally used by the Methodist Church. The boundaries are made up of walls and concrete fencing ranging from 1.5m to 2.2m in height. The boundary with the residential properties to the south east is a brick wall ranging in different heights (1.5m – 2.2m) partially covered in vegetation.
- 2.2     The site is relatively flat and is a mixture of hardstanding to the south east and north west and grass to the rear.
- 2.3     The site has no parking.
- 2.4     The site is located with Beeston town centre which has a mixture of commercial and residential buildings. To the south east of the site are terraced residential houses with rear gardens adjoining the site. The Quadrant (offices) is positioned to the south west of the site. The Commercial Inn is a pub positioned to the north west. Offices are positioned beyond Wollaton Road to the north east.

**3     Relevant Planning History**

- 3.1     Planning permission (20/00091/FUL) was granted in May 2020 to change the use of the Methodist Church from a place of worship (Class D1) to 3 houses in multiple occupation (Class C4), construction of dormers, cycle store, bin store, dropped kerb and external alterations.

**4     Relevant Policies and Guidance**

**4.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

**4.2 Part 2 Local Plan 2019:**

4.2.1 The Council adopted the Part 2 Local Plan (P2LP) on 16 October 2019.

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, design and amenity

**4.3 National Planning Policy Framework (NPPF) 2021:**

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 12 – Achieving well-designed places.

**5 Consultations**

5.1 **Council's Environmental Health Officer:** Environmental Health has not raised any objection subject to a condition in respect of a Construction Method Statement and advisories in respect of working houses and prohibiting the burning of waste.

5.2 **Council's Waste and Recycling Officer:** advise bin requirements.

5.3 **Council's Conservation Officer:** (Initial comments) The Methodist Church building to the front of the site has no statutory designation but is a prominent and historic building within the street scene.

Raise concerns in regards to the following:

- Scale and massing in relation to the host building; the Methodist Church is dominated by the proposed extension and the setting is significantly altered
- If all other planning matters are established to agree the principle of an extension, would be in support of the use of contemporary style and materials to clearly define the development of the building. However, there should be a link to the host building. In this case, it is not considered any such link has not yet been established. At this stage, this appears to be a standard block. This may be one situation where a more distinctive solution is required. There is no relationship or connectivity to the two buildings, whether that be in scale, alignment or shape
- As has been mentioned in the Civic Society comments, there is no Heritage Statement provided, or further analysis of the site. Whilst this is not a designated heritage asset, in this case, reference to the historic building and its setting would be useful to establish the significance of the site.

(Final comments on amended plans): The Methodist Church has no statutory protection, as the Civic Society has highlighted it is a building of local interest, as demonstrated by its inclusion in the Pevsner guide.

- The proposal must be assessed with regards to the potential impact on the preservation and/or the enhancement of the existing church, and the change to the existing character and appearance
- Concerning that there is a mix of traditional and contemporary within the alterations proposed. Extending a historic building is a challenge and requires a unique solution. It is usually preferable for a clear division between old and new, sometimes with a link glazed section of build and a contemporary extension. It is not considered that there is sufficient architectural division between the historic building and the proposed extension. The scale and massing may also overwhelm the existing.

5.4 **Council's Private Sector Housing Officer:** no objection but note that a HMO licence will be required and that en-suite doors and means of escape doors could collide.

5.5 **NCC Highways Authority:** request for the dropped kerb to be removed from the plans. Condition in respect of the cycle store being in use before the building is occupied.

5.6 24 neighbouring properties were consulted on the application and four objections were received which can be summarised as follows:

- Loss of privacy
- Loss of daylight and sunlight
- Sense of enclosure and overshadowing
- Gardens nearby will be unusable
- Unsure of access arrangements
- Inappropriate development
- Overbearing in scale and higher than church
- Dominate surrounding area
- No parking provided
- Traffic hazard as on busy road
- No provision for disabled parking, access or deliveries
- Taller than church
- Cramped
- Fire safety concern
- No outdoor useable space
- Change dynamics to neighbouring properties.

5.7 An objection was received by the Beeston Civic Society which can be summarised as follows:

- A Heritage Statement should be submitted which includes and an Archaeological Desk Based Assessment

- Does not make an assessment of the significance or contribution of the Heritage Asset in accordance with Paragraph 189 of the NPPF
- Under paragraph Local Planning Authorities are required to take account of opportunities to draw on the contribution made by the historic environment to the character of a place
- Scale and mass are over intensive
- Unacceptable impact on amenity of residents on Wilkinson Avenue
- No attempt has been made to reflect or complement the architecture of the Chapel which is the work of important local architect R. C. Sutton as is recognised by its recent inclusion in the 2020 Nottinghamshire Pevsner Guide to Buildings.

## 6 Assessment

6.1 The main issue relates to whether the principle of the building would be acceptable, if there is an acceptable level of design, if there is an acceptable impact on neighbour amenity and if it is acceptable in relation to highway safety.

### 6.2 **Principle**

6.2.1 Concerns were raised in regards to the overall height and massing of the building and the unacceptable impact on amenity this would have on future occupants and neighbouring occupants. Whilst it is acknowledged the height has been reduced by one storey, it is still considered that the proposal is unacceptable due to its massing and scale.

6.2.2 Whilst it is acknowledged that the site could support residential development, it is considered that significant amendments would be required in order for this to be acceptable. Therefore, the principle of the scheme is unacceptable.

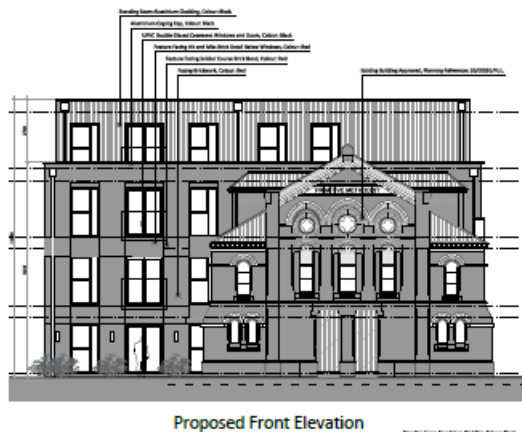
6.2.3 Due to the location of the building within Beeston town centre, it is considered the proposal of no parking is acceptable given the walking distance to regular bus and tram services and local amenities. Furthermore, the Highways Authority has not objected.

6.2.4 To conclude, whilst it is acknowledged that the site could accommodate some form of residential development, it is considered the proposal fails to demonstrate an acceptable balance between the building, future occupants and surrounding neighbours and street scene. It is considered the proposal reflects a confused design which a mixture of traditional and contemporary elements, is an over development of the plot, would give rise to a poor level of amenity for future occupants, create an oppressive and overbearing impact on adjoining neighbours on Wilkinson Avenue and have an unacceptable impact on the Methodist Church and street scene due to its scale and massing.

### 6.3 **Design**

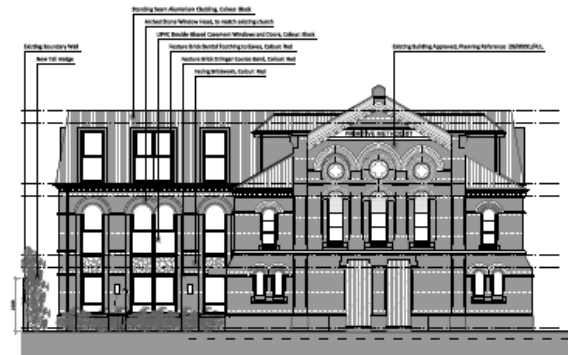
6.3.1 As stated above, concerns were raised over the design and in order to overcome these, significant amendments were requested. However, the proposal was amended to remove the fourth storey and change the design so that it reflects a

mix between traditional and contemporary. The images below show the initial proposal versus the amended proposal.



### Proposed Front Elevation

## Initial proposal



### Proposed Front Elevation

## Amended proposal

6.3.2 In regards to the scale and massing, it is considered this is excessive for the size of the plot and represents over development which is emphasised by the close proximity to neighbouring boundaries. Although it is acknowledged this is a town centre location, an element of spaciousness is experienced between the rear gardens of Wilkinson Avenue, the application site and the Commercial Inn. The building would be between 0.9m and 2.7m from neighbouring boundaries which for the massing and scale of the building is considered to represent an overly compact presence, especially when coupled with the adjoining Methodist Church. Therefore, the building fails to integrate into its surroundings.



### Proposed Site Plan Layout 1:200

- 6.3.3 It is considered the overall design is confusing and partially competes with the Methodist Church at ground and first floor but has a contemporary style roof and dormers at second floor level. The Conservation Officer provided comments on the application due to the comments received from the Beeston Civic Society. The Conservation Officer is in agreement that the mix of traditional and contemporary design is concerning and that extending the main building requires a unique solution. Although there is not strictly a design method for linking a traditional and new building together, a usually successful approach is with a glazed structure which then connects to a contemporary building. In this case, the link between the buildings has windows but isn't fully glazed to show the break between the old and new buildings. Due to the size and materials of the linking structure and the size of the new building, it is considered these blur into one development and do not represent a successful extension (as shown below). The second floor has an aluminium clad roof with rectangular dormers which do not respond to the traditional appearance at ground and first floor. Furthermore, the lack of subservience of the dormer windows when viewing the fenestration of the building from ground to second floor adds to the excessive mass and scale. In addition to this, the number of dormers is excessive due to the overdevelopment of the plot.



Proposed Side Elevation

- 6.3.4 Although it is acknowledged the Methodist Church is an attractive building, it is considered to not be a non-designated heritage asset and therefore the proposed scheme would not be required to be assessed in line with Section 16 of the NPPF (2021). A Heritage Assessment was requested due to the comments raised from the Beeston Civic Society but this was not provided by the agent. This would not equate to a reason for refusal. However, valid comments were raised by both the Conservation Officer and Civic Society that the scale of the building is over intensive, overwhelming and has a lack of architectural division with the Methodist Church.
- 6.3.5 It is considered the proposed cycle store is an acceptable scale and design. Elevations of the bin store have not been provided but these could have been provided if the application was recommended for approval within a landscaping condition.

6.3.6 To conclude, it is considered the proposed building represents an over development of the plot due to its excessive scale, massing and proximity to neighbouring boundaries. The design is considered to be confusing due to the mix between traditional and contemporary which would have a negative impact on the Methodist Church and surrounding area. The massing and scale of the building are considered to compete with the Methodist Church and therefore would have a negative impact on the street scene of Wollaton Road. This directly contravenes Policy 10 of the Aligned Core Strategy (2014) Policy 10 2 (d and e) which references that development will be assessed in respect of massing, scale and proportion, materials, architectural style and detailing and Policy 17 1 (a) of the Part 2 Local Plan (2019) which states that development should integrate into its surroundings.

#### **6.4 Amenity**

6.4.1 A number of concerns have been received in relation to the building causing a sense of enclosure, overshadowing, loss of privacy and loss of daylight/sunlight. Further concerns were raised which are detailed in section 5.6.

6.4.2 Whilst it is acknowledged the plans were amended to reduce the number of windows in the south east elevation to nine and so they serve en-suites to reduce overlooking, this still does not overcome the concerns of the massing and scale of the being and its oppressive presence which would be experienced by neighbours occupying the Wilkinson Avenue properties. It was requested for the building to be moved further away from the south east boundary and then step up from single to two storey to provide a large separation distance and minimise the impact of the building experienced by these neighbours but this was not included in the amended plans. Therefore, it is considered unreasonable for these neighbours to go from an empty site to a building that is 8.9m in height, approximately 16.8m in width and between 0.9m and 1.7m from their boundary. Nos. 8, 10, 12 and 14 Wilkinson Avenue are the properties that will experience the impact of the building the most and although the gardens are north facing, it is still considered the presence of the building will give rise to a sense of enclosure and oppressive feeling when using their rear gardens. The length of the rear gardens from the rear projection to south the north west boundary are on average 11m which is considered to be significantly small. The side elevation below shows the proposed building as experienced from the rear gardens of Wilkinson Avenue. It is considered the building will have an unacceptable impact on the amenity of these neighbours due to the excessive scale and massing and height of the south east elevation with its proximity to the south east boundary. Furthermore, although the gardens are north facing, it is still considered they will experience a loss of light and overshadowing that the gardens would not be usable.





Rear gardens of Wilkinson Avenue properties beyond south east wall of site

- 6.4.3 It is considered the impact on other surrounding buildings is acceptable given that they are not residential properties. Whilst it is acknowledged there will be some impact on the rear courtyard of the Commercial Inn, it is considered this would not be detrimental. Furthermore, the pub has a reasonably sized rear courtyard area.
- 6.4.4 It was advised that the amenity of future occupants was unacceptable due to the ground floor windows facing concrete paneled fencing and walls. Whilst the plans state there will be shared amenity space surrounding the building, due to its small width, and being dwarfed by the height of the building, it is unlikely to be used. Whilst it is accepted that flats such as these do not strictly require outside amenity space, it is concerning that due to the overdevelopment of the site, that the ground floor bedrooms do not have a satisfactory outlook and therefore reducing the footprint could provide both to overcome these concerns.
- 6.4.5 It is considered the proposed cycle store is an acceptable height, and scale that it would have minimal impact on the amenity of the surrounding neighbours. Elevations of the bin store have not been provided but these could have been provided if the application was recommended for approval within a landscaping condition.
- 6.4.6 To conclude, it is considered the building would provide an unacceptable standard of amenity for future occupants on the ground floor of the building due to their close proximity to neighbouring boundaries which would result in a poor outlook. Furthermore, it is considered the building would have a significant, detrimental impact on the neighbours of Wilkinson Avenue, due to the height, scale, massing and proximity to their rear boundary. This directly contravenes Policy 17 1 (a) of the Part 2 Local Plan (2019) which states that new development should provide a satisfactory degree of amenity for occupiers and neighbouring properties and Policy 10 of the Aligned Core Strategy (2014) Policy 10 2 (f) which references that development will be assessed in respect of the impact on amenity of occupiers and nearby residents

## 6.5 Highways and Access

- 6.5.1 The Highways Authority has not objected to the application following the request that the dropped kerb was removed due to an access for vehicles from Wollaton

Road being unsafe. A condition was advised that the cycle store should be constructed before occupants inhabit the building.

6.5.2 However, a concern was raised in respect of the number of people living here that delivery and service vehicles should be accommodated for. Whilst it is accepted that the Highways Authority requested for the dropped kerb access to be removed due to highway safety concerns on Wollaton Road, if the building was reduced in size then ultimately the number of occupants would be reduced which would mean there is less pressure to provide an area for off-street parking for service vehicles. The total number of occupants within the Methodist Church and this building would equate to at least 33 occupants meaning delivery vehicles stopping on Wollaton Road would likely cause a nuisance to other drivers. Furthermore, a bus stop is situated right outside the Methodist Church meaning this would cause further issues.

6.5.3 Whilst it is acknowledged that parking would not be appropriate on site due to access from Wollaton Road which is a busy town centre road, it is concerning that due to the overdevelopment of the site that the number of vehicles serving the building (and neighbouring Methodist Church) will likely cause a nuisance to drivers along Wollaton Road.

## **6.6 Other Matters**

6.6.1 Fire safety concern is a matter that is dealt with via Building Regulations legislation.

## **7 Planning Balance**

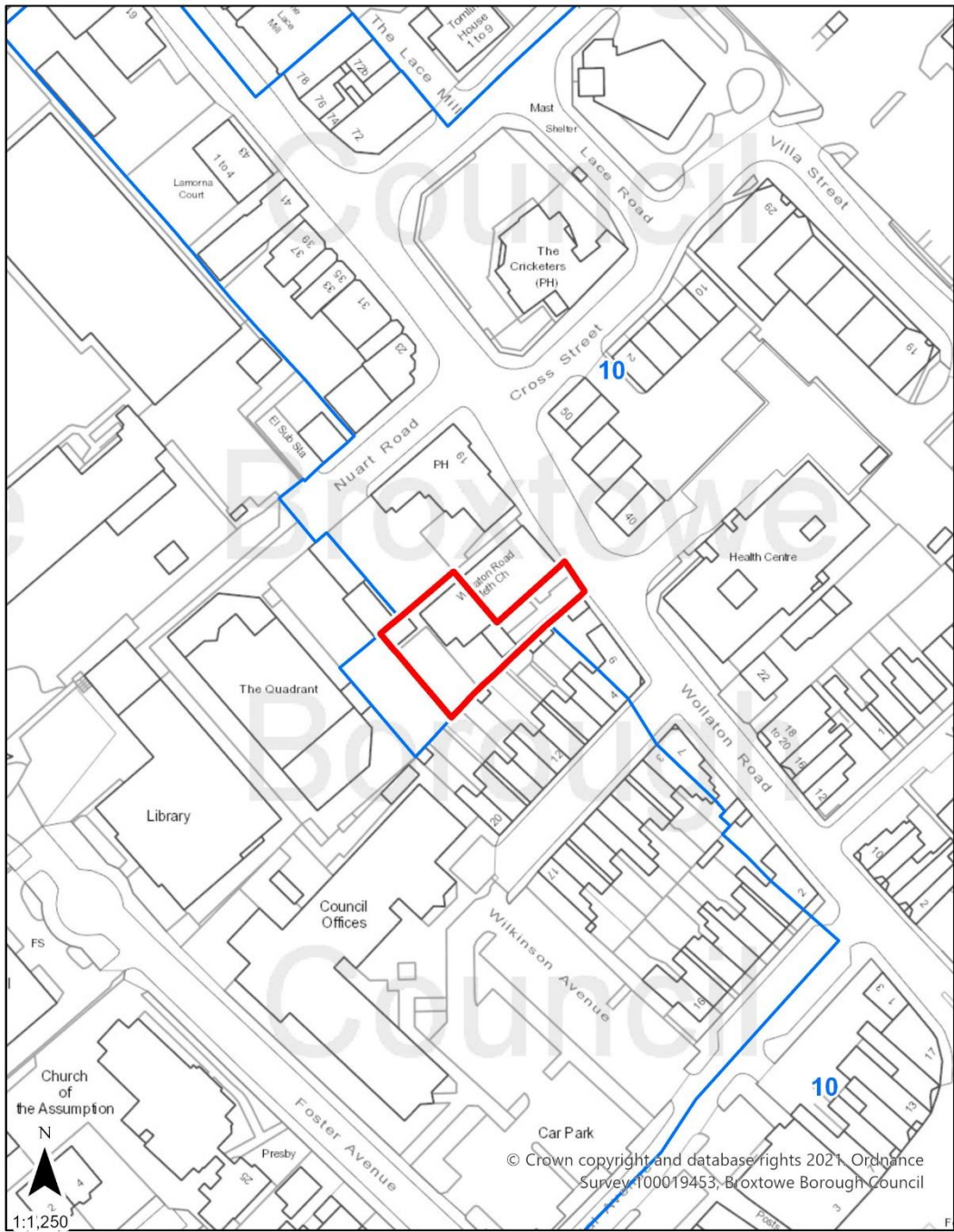
7.1 The benefit of the proposal is that it would provide additional residential accommodation in an existing urban area. However, it is considered that the building represents an overdevelopment of the plot due to its excessive massing and proximity to neighbouring boundaries. It is considered the excessive massing and scale and proximity to boundaries would give a poor outlook for future occupiers at ground floor level and also have a detrimental impact on the amenity of the neighbours on Wilkinson Avenue. The design is considered to be unacceptable due to it being a mix between traditional and contemporary which would have a negative impact on the Methodist Church. The massing and scale of the building are considered to compete with the Methodist Church and therefore would have a negative impact on the street scene of Wollaton Road. On balance, although the scheme would result in six HMO flats, this is not enough to overcome the concerns raised and therefore the application should be refused.

## **8 Conclusion**

8.1 It is recommended that planning permission be refused, subject to the reasons set out below.

<b><u>Recommendation:</u></b>	
The Committee is asked to RESOLVE that planning permission be refused for the following reasons:	
1.	The development, by virtue of its scale, massing and proximity to neighbouring boundaries fails to provide a suitable outlook for future occupants on the ground floor and therefore does not provide satisfactory living conditions or provide a satisfactory level of amenity.
2.	The development, by virtue of its scale, massing, height and proximity to the south east boundary would create a dominant and oppressive relationship with occupants on Wilkinson Avenue therefore resulting in a detrimental impact on their amenity and living conditions.
3.	<p>The development, by virtue of its scale and massing, would create a building that dominates the Methodist Church to the detriment of its character. Furthermore, the contrasting traditional and contemporary design creates a scheme that has a juxtaposition of styles competing with one another to its detriment. Therefore, the scheme appears out of keeping with the Methodist Church and consequently would appear out of keeping within the street scene.</p> <p>Accordingly, the proposal is contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and the National Planning Policy Framework (2021).</p>
	<b><u>NOTES TO APPLICANT</u></b>
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

Map



Legend

- Site Outline
- Town or District Centre



Photos



View from Wollaton Road



Facing south east boundary towards Wilkinson Avenue



Both photos showing rear elevations of Wilkinson Avenue properties



Facing north west towards Commercial Inn pub

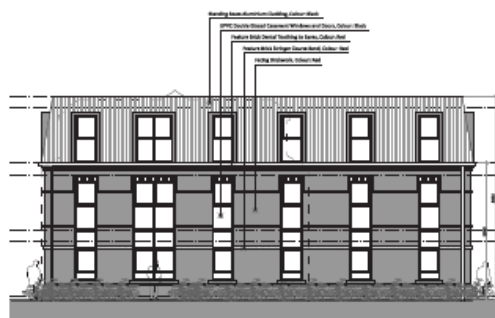


Facing south west (rear) boundary

Architectural elevation drawing of the exterior of the building, showing the front facade. The drawing includes labels for various architectural features:

- Standing Iron Ventilation Chimney, Exterior Brick
- Central Iron Window Head, in main-entrance alcove
- Stone Double-Door Entrance with Windows and Stone, Sill and Sill
- Central Stone Head, Sill and Sill
- Square Brick Bridge Enclosed Head, Sill and Sill
- Heavy Window's, Sill and Sill
- Standing Brick Ventilation Chimney, Sill and Sill
- Standing Brick Ventilation Chimney, Sill and Sill

### Proposed Front Elevation



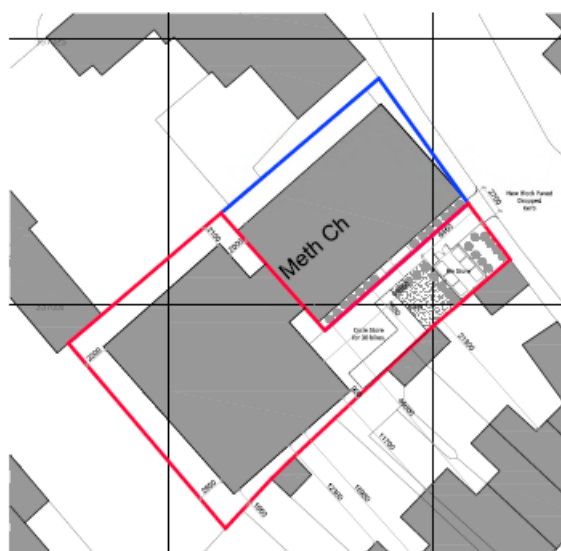
### Proposed Rear Elevation



### Proposed Side Elevation



### Proposed Side Elevation



**Proposed Site Plan Layout 1:200**

### Plans (not to scale)

