

**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>21/00758/FUL</b>
<b>LOCATION:</b>	<b>Broadgate House, Broadgate, Beeston NG9 2HF</b>
<b>PROPOSAL:</b>	<b>Change of use to 84 bed student accommodation (Class C4 HMO including an additional floor)</b>

The application is brought to the Committee at request of Councillor P Lally and Councillor L A Lally on the grounds of the impact of on the character and appearance of the area and neighbour amenity.

1 Executive Summary

- 1.1 The application seeks full planning permission for the conversion and extension of Broadgate House into an 84 bed student accommodation (Use Class C4) comprising of 17 cluster flats and 9 studio flats (26 dwellings in total). The application provides off-street car parking, cycle and bin store areas.
- 1.2 The site includes a part-vacant three storey detached office building located on a corner site at the junction of Humber Road and Broadgate. The site is situated within a mixed commercial and residential area.
- 1.3 The main issues relate to whether the proposed use as residential (Use Class C4) is acceptable; whether the design is acceptable; whether there would be unacceptable impact on neighbour amenity and whether the proposal would have an unacceptable impact on highway safety.
- 1.4. The benefits of the scheme are that the proposal would provide purpose built student accommodation and would in turn allow for less pressure on C3 dwellings to be occupied as a C4 use; it would be in a sustainable location with good access to public transport and to facilities such as retail, leisure, health and education, reducing reliance on private vehicles; and would provide a good standard of living for the future occupiers. The development would be in accordance with the policies contained within the development plan. This is given significant weight.
- 1.5 The committee is asked to resolve that planning permission be granted to the conditions outlined in the appendix.

## APPENDIX

1 Details of the Application

- 1.1 The application seeks full planning consent for the change of use of Broadgate House to an 84 bed student bed accommodation (Class C4 HMO). The application also proposes an additional floor for accommodation creating a 4<sup>th</sup> floor. Furthermore, the proposal includes the refurbishment of the existing building including external alterations.

2 Site and surroundings

- 2.1 The site includes a three storey detached building (with lower ground floor) located on a corner plot at the junction of Humber Road and Broadgate. The existing building is part-vacant and in use as offices. The main pedestrian access is from the front (Broadgate elevation) and there is an enclosed parking area below the ground floor, accessed from Humber Road.
- 2.2 To the north-east of the site, is Gainsborough Court, a group of two storey maisonettes. These are side on to the application site. To the south east of the site is 1 Humber Road, a semi-detached two and three storey dwelling which is also side on to the site. To the south-west of the site and on the opposite side of Humber Road, is 4 and 4a Humber Road, two detached dwellings, which face the site. These are set back from the public highway. To the south-west of the site is 158 High Road, a two storey property which has been converted to residential at first floor level.
- 2.3 To the north-west of the site, on the opposite side of Broadgate, there is a car sales business, and adjacent to this site, two more retail units with residential above.
- 2.4 The character of the area to the south-west of the site is mixed, being predominately retail as High Road leads in the town centre. The character of the area changes to predominately residential further north east of the site.
- 2.5 The site falls outside of the Beeston Town Centre boundary, which is to the south west, along High Road.

3 Relevant Planning History

- 3.1 In 2020, prior approval was granted for a change of use from offices to 26 dwellings under Class O of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The application comprised of 26 self-contained flats spread over three floors. This included a mix of one and two bedroom flats. The lower ground floor being retained as a parking area / bin store area (20/00595/P3JPA).

4 Relevant Policies and Guidance4.1 **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 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 9 – Promoting Sustainable Transport
- Section 12 – Achieving well-designed places

### 5 Consultations

- 5.1 **County Council Highway Authority:** First set of comments: request the existing/proposed roller shutter to the car parking area to be set back 6.0m to allow the car to stand clear and not overhang onto the adopted highway. 24 parking spaces will be retained, together with cycle spaces.
- 5.2 **County Council Highway Authority:** Second set of comments, no objection subject to conditions. NCC Highways have reviewed the revised plan entitled 'Proposed lower GF Plan', drawing no. A-20082-20-001\_P2. 18 Car parking spaces are proposed within the revised parking plan in accordance with up to date parking standards. Conditions proposed include the roller shutter door, cycle storage and vehicle parking bays being implemented.
- 5.3 **County Council Lead Local Flood Authority:** No comments to make on this application.
- 5.4 **Council's Environmental Health Officer:** No objection subject to conditions. Broxtowe environmental health have reviewed the submitted Noise Impact Assessment. Details of the fenestration glazing specifications shall be submitted to and approved by the Local Planning Authority. Furthermore, a Demolition and Construction Method Statement has been conditioned.
- 5.5 **NET (trams):** No objection.
- 5.6 **Nottinghamshire Police:** Raises no objection. Security deterrents should be implemented within the design. As such, a Secure by Design condition has been proposed in the interests of reducing the potential for crime. Secured by Design (SBD) is a minimum standard for security.

- 5.7 **Nottinghamshire Clinical Commissioning Group:** Request a contribution of £18,207.00 towards enhancing capacity/infrastructure within local GP practices (The Manor Surgery, Sunrise Medical Practice and Cripps Health Centre).
- 5.8 **Council's Private Sector Housing Officer: No objections.**  
All bedrooms and common space appear to be of adequate size and the means of escape suitable.
- 5.9 **Resident comments:** A site notice was posted and neighbouring properties were consulted. 25 objections were received. Comments received can be summarised as follows:

*Principle of development*

- Absence of evidence to demonstrate the need for student accommodation in this location or in relation to the additional floor.
- There are already too many HMOs in this location.
- The site should be used for affordable housing.

*Visual Amenity*

- The proposed student accommodation will negatively impact the residential character of the locality.
- The proposed additional floor will make the overall height of the building out of keeping with the surrounding area.

*Residential Amenity*

- Overdevelopment (sizes of bedrooms appear too small).
- Potential loss of privacy resulting from proposed windows.
- The proposed additional floor would impact on neighbouring properties in terms of loss of light and privacy.
- The proposal will increase the sense of enclosure.
- The proposal will impact neighbouring properties right to quiet enjoyment in terms of noise and air.
- The construction period will result in noise and disruption to neighbouring properties.
- Should the application be approved, security measures should be implemented.
- Anti-social behaviour associated with the proposed increase of students in this location. This will affect the nearby Broadgate Park.
- Increased litter in the neighbourhood.

*Highway Safety*

- The proposed intensification of the site will increase traffic congestion in Beeston and increase pollution.
- The building is located on a busy transport route and a bus stop is outside the building.
- Construction vehicles will cause congestion and traffic.
- No delivery, maintenance or servicing vehicle parking has been provided.
- The proposal will increase safety risks for pedestrians.
- Neighbouring property driveways will be blocked by refuse/delivery vehicles.
- There are parking restrictions on Humber Road.

- Potential noise and loss of privacy resulting from the use of the fire emergency exits on the side of the building.
- The proposed number of parking spaces is inadequate for a development of this size.
- The proposed development will reduce off street car parking availability along Humber Road and Coventry Road.

5.9.1 Resident re-consultation for 7 days in relation to amended Proposed Lower Ground Floor Plan No. A-20082-20-001\_P2. Any comments received after the publication date will be reported as late items at planning committee.

## 6 Assessment

6.1 The main issues for consideration are the principle of the development, including the proposed use and design, amenity and impact on highway safety/parking.

### 6.2 **Principle**

6.2.1 The existing building is currently part-vacant located outside the Defined Town Centre boundary. The site is not allocated for any specific purpose in the Part 2 Local Plan. The site lies within a mixed residential and commercial area off Humber Road/Broadgate.

6.2.2 The proposal would provide 17 cluster flats and 9 studio flats (26 dwellings), intended for C4 use. The conversion and extension would therefore be purpose built and could accommodate occupiers who could otherwise occupy C3 dwellings, to the detriment of the wider community, as this would represent the loss of accommodation that would be more suited to families and other longer term residents. The application site is considered to be a good location for purpose built accommodation, being close to a wide range of amenities including the university campus, and to the centre of Beeston and is close to a wide range of sustainable transport options such as the well served bus route outside the site on Humber Road, the frequent tram service on Middle Street, and to walking and cycling routes. For this reason, it is considered that the use of the site as residential and as a C4 use, is acceptable.

### 6.3 **Design and Layout**

6.3.1 The proposal seeks to retain and refurbish the existing part-vacant office building. The external alterations proposed include the introduction of render and cladding. The proposal involves the replacement of new windows and the infilling of areas with cladding where windows are no longer required.

6.3.2 The proposal includes extending the building at roof level to add further accommodation. The proposed flat roof extension will be set back from the parapet edge to reduce the mass of the additional floor. The proposed extension is considered to subservient to the existing building and is to be finished in cladding. Details of the materials will be the subject of a condition.

6.3.3 The parking is located on the lower ground floor which currently operates as a car park, accessed via a roller shutter entrance off Humber Road. The bin store is

considered to be within a reasonable and convenient distance to the public highway.

## **6.4 Amenity**

- 6.4.1 1 Humber Road lies immediately adjacent, to the south-east. This is a two storey semi-detached property. There are no windows proposed in the south-east main elevation, therefore reducing any potential loss of privacy. Emergency fire escape doorways will be retained within the south-east elevation, however as these will be kept closed it is considered that there is limited overlooking impact. To the rear of the building, to the north-east includes Gainsborough Court comprising of a number of two storey maisonettes. The rear elevation of the building is separated by approximately 7.5m from the side elevation of flat No. 7 and 10. At ground floor level includes an existing approximate 3m high wall on the rear boundary of the site, as such this will lessen any potential overlooking impact to the ground floor accommodation at Gainsborough Court. An existing shared rear garden area serving residents of Gainsborough Court is set at a lower land level sited to the north-east of the proposed development. As a result, due to its location set away from the proposal, partially screened by an existing tree, this reduces any potential overlooking concerns. The rear elevation of the proposal is separated from the side elevation of No. 2 and 4 Gainsborough Court by approximately 9.5m. The proposal and neighbouring properties No. 2 and 4 are separated by an existing access, parking area and garages and as a result this will also lessen any potential loss of privacy.
- 6.4.2 To the south, No. 4, 4a and 6 Humber Road are located on the opposite side of Humber Road, set back from the highway and therefore are considered to be adequately separated from the proposal. Furthermore, No. 9 Broadgate is located on the opposite side of the main road and therefore this will reduce any potential loss of privacy concerns. To the north-west includes an existing commercial garage on the opposite side of Broadgate. To the south-west includes 158 Broadgate, which is a two storey commercial unit with first floor residential accommodation. Given the design of the proposal, it is considered that the proposal would not have a significant impact in terms of loss of privacy for any neighbouring properties.
- 6.4.3 The proposed third floor extension is set back from the eaves of the existing building; therefore, this will reduce any potential overbearing or overshadowing impact on the amenity of any neighbouring properties.
- 6.4.4 With regard to the internal layout of the building, the accommodation would provide each bedroom with access to natural light and to an outlook, and each resident would have access to kitchen/living/dining areas. Each bedroom would have its own bathroom and all bedrooms would exceed 8m<sup>2</sup> minimum as set out in the Council's House in Multiple Occupation (HMO) Property Standards. All studio flats also comply with the HMO minimum standards and exceed 14m<sup>2</sup>.

## **6.5 Highway Safety and Parking**

- 6.5.1 The proposal uses the existing access off Humber Road which would include a new roller shutter door and lead to 18 car parking spaces. The Highway Authority have no objection to the amount of parking spaces proposed, or to the visibility splay provided into the parking area from Humber Road. A condition is proposed to ensure that the roller shutters, cycle storage and parking spaces are provided in accordance with the revised lower ground floor plan (drawing no. A-20082-20-001\_P2).
- 6.5.2 It is noted from the consultation responses that the immediate area already experiences problems in respect of lack of on-street parking and the amount of through traffic. In assessing the highway impacts of a proposal, paragraph 111 of the NPPF states that development should only be refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 107 provides a list of factors which should be taken into account, which includes the availability of and opportunities for public transport, and the type, mix and use of the development. Policy 10 of the ACS states that development should be designed so as to reduce the dominance of motor vehicles.
- 6.5.3 The lower ground floor includes 18 car parking spaces, including 6m reversing space between spaces. Parking spaces are approximately 2.4 x 4.8m. This accords with the NCC Highways minimum standards for communal car parking spaces. The submitted Transport Assessment compiled by Hexa Consulting confirms that the proposal will result in a negligible level of car trips which can be accommodated by the existing local highway network without resulting in severe detrimental impacts, notwithstanding a likely net reduction in trips when considering the former offices which currently occupy the site. Within Section 7.2, the Student Management Plan has been conditioned to help reduce traffic during potentially busy drop off and collection periods of the academic year.
- 6.5.4 As previously outlined in paragraph 6.2.2 above, the site is considered to be a good location for purpose built accommodation, being close to a wide range of amenities including the university campus, and to the centre of Beeston and is close to a wide range of sustainable transport options such as outside the site on Humber Road, the frequent tram service on Middle Street, and to walking and cycling routes. In addition, a cycle storage area for 48 cycles would be provided, which would encourage the use of sustainable modes of travel and reduce the reliance on the private motor car. It is therefore considered that the proposal would not have a significant impact on highway safety or to a significant increase in demand for on-street parking.

## **6.6 Noise**

- 6.6.1 As the building would contain bedrooms which would be located adjacent to a busy road, and is close to the town centre with night time uses nearby, a Noise Impact Assessment has been submitted and reviewed by Broxtowe Environmental Health and no objections have been provided. A Demolition and Construction Method Statement and details of the proposed windows have been conditioned in the interests of the amenity of any future occupiers.

- 6.6.2 Concerns have also been raised in regard to noise emanating from the use of the building (by the occupiers). The lower ground floor would be functional (for vehicle parking and for access to the bin/cycle store) and has no outdoor amenity space. The main resident access is from the entrance off Broadgate, the level of noise would not be significantly higher than would be expected for a residential use in an edge of town centre location. In addition, the occupants would have access to formal open space, such as Broadgate Park, close to the development.

## **6.7 Sustainability and Climate Change**

- 6.7.1 The proposed development uses a low-carbon 'fabric first' approach which comprises of a highly insulated development and renewable energy generation. It is proposed to install photovoltaic panels to the flat roof of the extension to generate renewable electricity. This approach was designed to help future occupiers maximize energy savings. Cycle storage and electric vehicle charging points have been provided.

## **6.8 Financial Contributions**

- 6.8.1 As this application is for student accommodation, no financial contributions towards affordable housing will be sought. Within Broxtowe, it is accepted practice that affordable housing provision is not sought when residential schemes are for student only accommodation.
- 6.8.2 An open space contribution has not been requested. The site is within walking distance of Broadgate Park.
- 6.8.3 A transport contribution has not been requested as the development is within close proximity to public transport.
- 6.8.4 Nottinghamshire Clinical Commissioning Group request a contribution of £18,207.00 towards enhancing capacity/infrastructure within local GP practices (The Manor Surgery, Sunrise Medical Practice and Cripps Health Centre). The applicant has confirmed agreement in writing to the payment of this amount as a financial contribution as part of a Section 106 Agreement.

## **6.9 Other Matters**

- 6.9.1 Concerns have been raised from neighbours that this development would result in an increase in student accommodation within Beeston, that student accommodation has been given priority over affordable housing. This development does not justify a requirement for affordable housing provision and none is being sought. This development would result in an increase in student accommodation within Beeston but there is an identified need for this type of accommodation within this area and as the site is in close proximity to Nottingham University. It could be considered that providing more purpose built student accommodation within Beeston means this scheme could reduce the demand on more traditional housing being converted into rental properties for students. Therefore, it is considered the development may result in more properties within the wider area being available for first time buyers or families. This development should therefore be viewed favourably in terms of wider housing provision.

- 6.9.2 It would be difficult to attribute the increase in litter and rubbish to any one particular building or group of households. It is considered that adequate provision is proposed within the site to accommodate any waste or rubbish generated by the development.
- 6.9.3 Nottinghamshire Police have been consulted and security deterrents have been requested. As such, a Secure by Design condition has been proposed in the interests of reducing the potential for crime.

## 7 Conclusion

- 7.1 The benefits of the proposal are that the development would provide a good standard of purpose built accommodation, in a highly sustainable location, and which could contribute to the freeing up of dwelling houses which are suitable for long term residents. On-site car parking and cycle storage is proposed.
- 7.2 The proposed external alterations help to improve the aesthetics of the building and help to enhance the character and appearance in this location. The proposed scheme also follows a 'fabric first' approach in reducing the impact of the development on climate change.
- 7.3 Finally, the proposed conversion and extension of the building has been designed to ensure there is no significant impact in terms of any potential overlooking, overbearing or overshadowing impact.
- 7.4 On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.
- 7.5 It is recommended that planning permission is granted, subject to the conditions set out below.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b>	
	<b>Conditions:</b>  <b>1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.</b>  <b>2. This permission shall be read in accordance with the following plans:</b>  <b>Site location plan No. A-20082-70-001_P1</b> <b>Existing lower ground floor plan A-20082-02-001_P1</b>

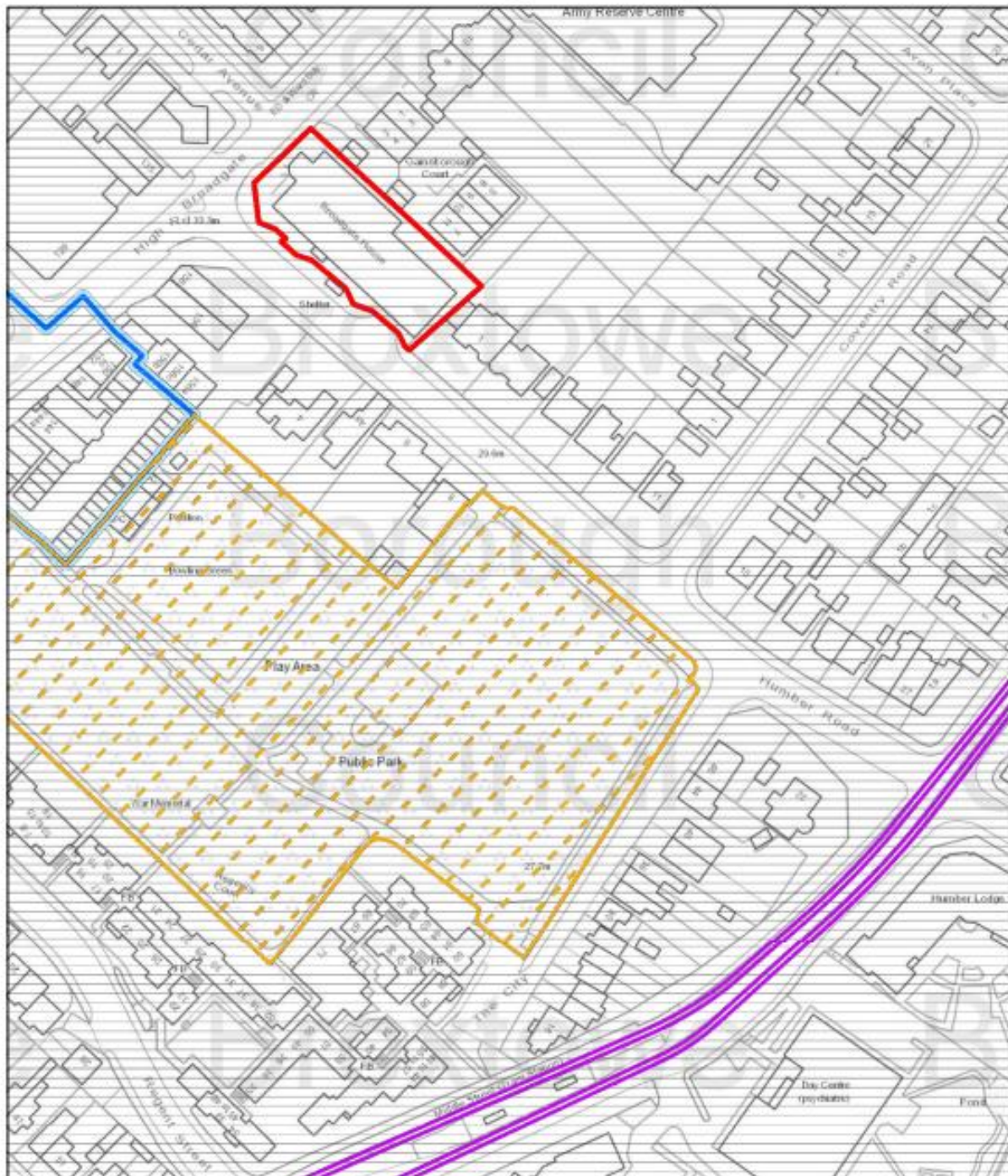
	<p>Existing ground floor plan No. A-20082-02-002_P1 Existing first floor plan No. A-20082-02-003_P1 Existing second floor plan No. A-20082-02-004_P1 Existing roof plan No. A-20082-02-005_P1 Existing NE/NW elevations No. A-20082-21-001_P1 Existing SW/SE elevations No. A-20082-21-002_P1</p> <p>Proposed ground floor plan No. A-20082-20-002_P1 Proposed first floor plan No. A-20082-20-003_P1 Proposed second floor plan No. A-20082-20-004_P1 Proposed third floor plan No. A-20082-20-005_P1 Proposed roof plan No. A-20082-20-006_P1 Proposed SW/SE elevations No. A-20082-21-003_P1 Proposed NE/NW elevations No. A-20082-21-004_P1 (All received by the Local Planning Authority 05.10.21)</p> <p>Proposed lower ground floor plan No. A-20082-20-001_P2 (Received by the Local Planning Authority 21.12.21)</p> <p>The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.</p> <p>3. No development shall take place until samples of the materials and finishes to be used for the external elevations and roof of the proposal have been agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out with those materials, unless the Local Planning Authority gives written approval to any variation.</p> <p>4. Prior to occupation of the development hereby permitted details of the fenestration glazing specifications shall be submitted to and approved by the Local Planning Authority. The development shall be undertaken in accordance with the approved plans and shall be thereafter retained unless otherwise agreed by the Local Planning Authority.</p> <p>5. No development shall take place until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <ul style="list-style-type: none"><li>a) The means of access for construction traffic;</li><li>b) parking provision for site operatives and visitors;</li><li>c) the loading and unloading of plant and materials;</li><li>d) the storage of plant and materials used in constructing the development;</li><li>e) a scheme for the recycling/disposal of waste resulting from construction works; and</li></ul>
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	<p>f) details of dust and noise suppression to be used during the construction phase.</p> <p>g) site preparation, construction and delivery hours</p> <p>The approved statement shall be adhered to throughout the construction period.</p>
6.	<p>The roller shutter doors at the access point to the car park shall be positioned in accordance with plan entitled 'Proposed lower GF Plan', drawing no. A-20082-20-001_P2. The approved Roller shutter doors shall then be retained in this position for the life of the development.</p>
7.	<p>No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on drawing A-20082-20-001_P2 has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.</p>
8.	<p>No part of the development hereby permitted shall be brought into use until the hard surfaced parking bays are clearly delineated in accordance with drawing number A-20082-20-001_P2. The parking areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.</p>
9.	<p>The development hereby permitted shall not be occupied until a scheme detailing the developments adherence to Secured by Design principles has been submitted to and approved in writing by the Local Planning Authority. All measures detailed in the scheme shall thereafter be implemented and within an agreed timeframe which shall be set out in the submitted details.</p>
10.	<p>The development hereby permitted shall be carried out in accordance with the submitted Student Traffic Management Plan contained within Section 7.2 of the Transport Statement 9 July 2021 compiled by Hexa Consulting.</p>
	<p><b>Reasons:</b></p>
1.	<p>To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.</p>
2.	<p>To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.</p>
3.	<p>To ensure the satisfactory appearance of the development in accordance with Policy 17 - Place-making, Design and</p>

	<p><b>Amenity of the Broxtowe Part 2 Local Plan 2019</b></p> <ol style="list-style-type: none"> <li>4. To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise</li> <li>5. To protect the amenities of neighbouring residents.</li> <li>6. In the interests of highway safety in accordance with Part 9 – Promoting Sustainable Transport of the NPPF 2019.</li> <li>7. To ensure cycle parking is available for use.</li> <li>8. In the interests of highway safety in accordance with Part 9 – Promoting Sustainable Transport of the NPPF 2019.</li> <li>9. To reduce the potential for crime.</li> <li>10. In the interests of highway safety in accordance with Part 9 – Promoting Sustainable Transport of the NPPF 2019.</li> </ol>
	<b>NOTES TO APPLICANT</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.
2.	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
3.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at:  <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a> </p>

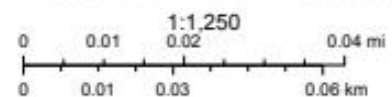
Site Location Plan

21/00758/FUL - Broadgate House, Beeston



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- Tram Route
- Site
- Coal Standing Advice
- Town Centre Boundaries
- Open Spaces



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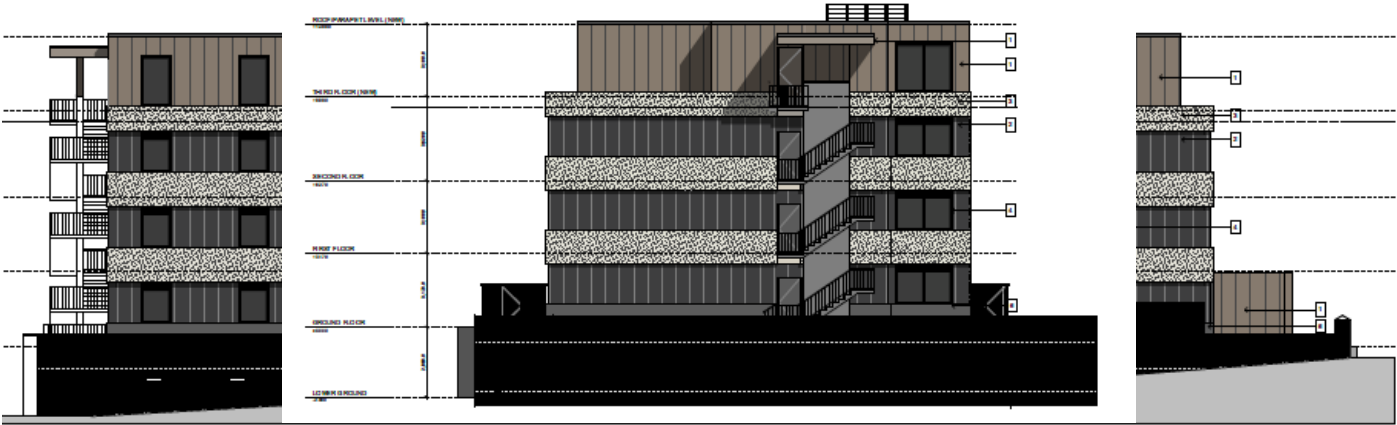
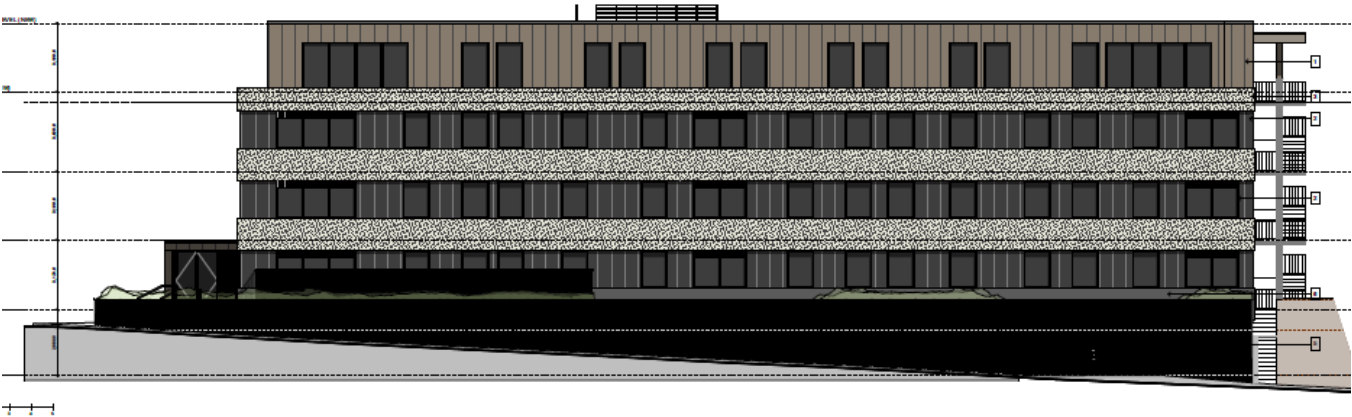
Photographs



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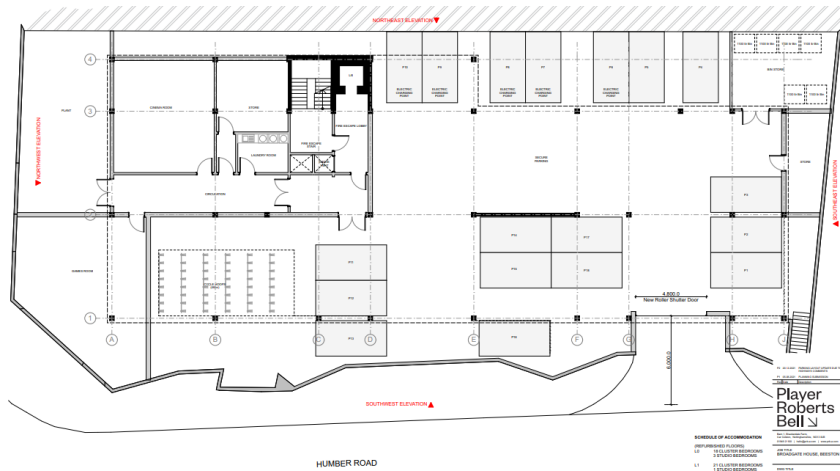


Plans (not to scale): Proposed Elevations

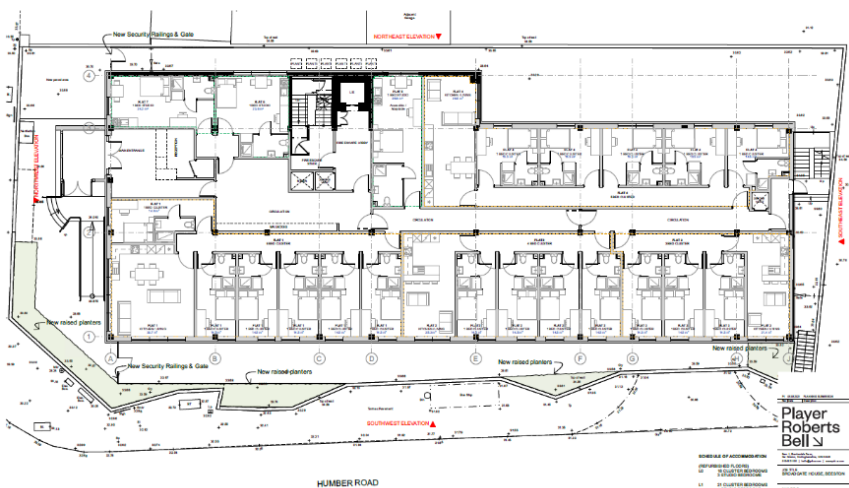


**Plans (not to scale): Proposed Floor Plans**

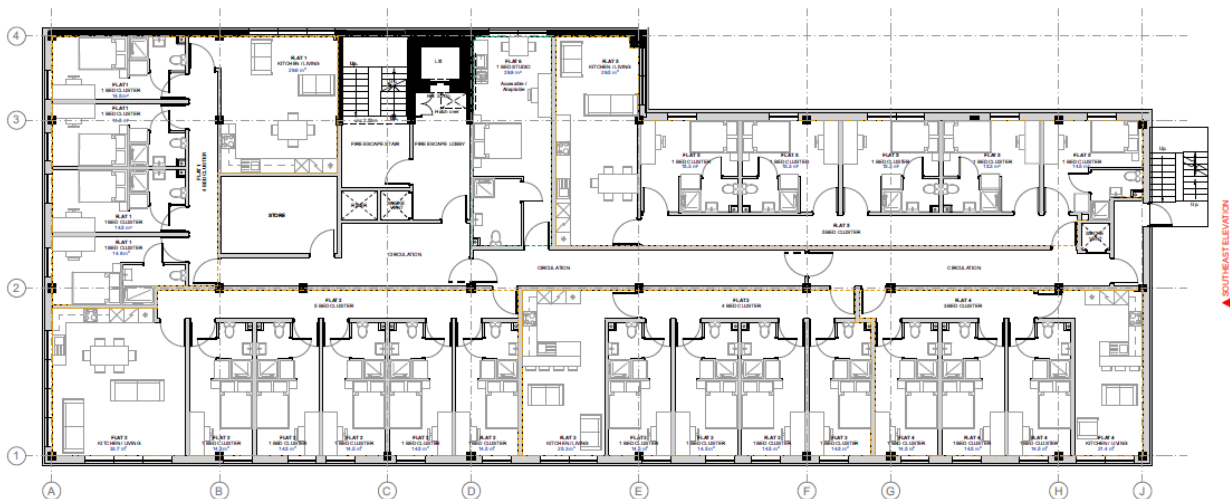
**Lower Ground Floor Plan**



**Ground Floor Plan**



**First Floor Plan**



## Second Floor Plan

