

## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>21/00941/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 (revised scheme)</b>

The application is brought to the Committee as the previous application was determined at Committee.

## 1 Executive Summary

- 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. This is a revised scheme of the refused scheme (20/00674/FUL) which has included several amendments listed in paragraph 1.5 below.
- 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 3 houses in multiple occupancy with dormers and external alterations.
- 1.3 An application (20/00674/FUL) for a similar scheme was refused at Planning Committee in September 2021. This was to construct a three storey building to contain six houses of multiple occupancy (Class C4) and construct a cycle store and bin store. The application was refused for the following reasons:

*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.*

*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.*

*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.*

*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).*

- 1.4 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.
- 1.5 The benefit of the proposal is that it would provide additional residential accommodation in an existing urban area. However, it is considered that insufficient amendments have been incorporated into this scheme and the building still 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.
- 1.6 The Committee is asked to resolve that planning permission be refused subject to the reasons outlined in the appendix.

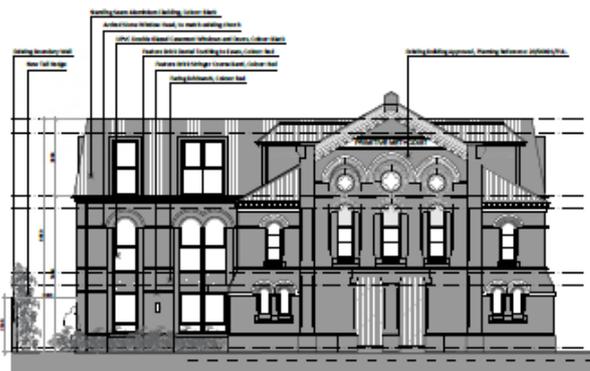
APPENDIX

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 but there will be no internal access between the two buildings. The building would be between 1.8m and 2.1m from the adjoining boundaries.
- 1.3 An L-shaped cycle store for 30 bicycles and a bin store will be positioned to the south 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 aluminum clad flat roof.
- 1.5 The main changes proposed in this revised scheme in comparison to the previous scheme are as follows:
  - Distance from the side elevation to the south east boundary with Wilkinson Avenue properties has increased from 0.9m - 1.7m to 2.1m – 3m
  - Distance from the rear elevation to the south west boundary with The Quadrant (offices) decreased from 2.7m – 2.3m to 1.8m – 2.1m
  - Amendments to sizes of floor spaces of flats (slight increases/decreases)
  - Increase in width of connecting element to church by approximately 2m
  - Amendments to fenestration

21/00941/FUL Proposed Scheme

20/00674/FUL Refused Scheme



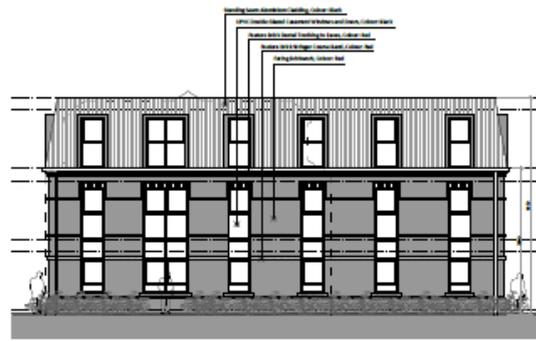
Proposed Front Elevation



Proposed Front Elevation



Proposed Rear Elevation



Proposed Rear Elevation



Proposed Side Elevation



Proposed Side Elevation



Proposed Side Elevation



Proposed Side Elevation

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.
- 3.2 Planning permission (20/00674/FUL) was refused in September 2021 to construct a three storey building to contain six houses of multiple occupancy (Class C4) and construct a cycle store and bin store. The reasons for refusal are stated in paragraph 1.5 above.

### 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 conditions in respect of providing a Construction Method Statement, Noise Assessment, Artificial Lighting Assessment, restricting working hours and an advisory in respect of prohibiting burning waste.
- 5.2 **Council's Waste and Recycling Officer:** advise bin requirements.
- 5.3 **Council's Private Sector Housing Officer:** flat 2 has better access to the exit door since the en-suite shower room has been incorporated into the room. In flats 1 and 3, three of the bedroom doors appear to collide with the opening of the en-suite doors. In flat 5, all of the bedroom room doors appear to collide with opening of the

en-suite door. In relation to fire protection, has the travel distance from bedrooms to the final exit door been considered?

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

5.5 25 neighbours were consulted on the application and two objections were received which can be summarised as follows:

- Loss of light
- Loss of privacy
- Already experience loss of light from existing building
- Significant, detrimental impact on neighbouring properties
- Will dominate skyline as other nearby buildings do already
- Oppressive
- Increased congestion
- Destruction of church should be considered from a moral and ethical perspective.

## 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 have been raised with the applicant in regards to the design, height, massing, impact on future occupier's amenity and the amenity of neighbours on Wilkinson Avenue. It was advised that the scheme has not incorporated sufficient amendments and the two schemes are extremely comparable that further amendments are required. As the applicant declined to amend the plans the principle of the scheme is considered to be unacceptable and the previous reasons for refusal are still applicable.

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 proposed building, future occupants, surrounding neighbours, street scene and building it connects to (the Methodist Church). 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 the proposed scheme still did not incorporate significant enough amendments for this reason for refusal to be removed from the previous scheme.

6.3.2 It is considered the scale and massing are 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 1.8m and 3m 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.

6.3.3 It is acknowledged the distance has increased (previously a minimum separation distance of 0.9m which has increased to a minimum of 2.1m) from the south east elevation and the south east boundary with the Wilkinson Avenue properties. However, the building has been increased in projection to the south west (previously a minimum separation distance of 2.3m which has been decreased to a minimum of 1.8m). Furthermore, the adjoining section to the Methodist Church has been increased in width. Therefore, it is considered the overall massing of the building has not been reduced sufficiently and in some elements, has been increased.

21/00941/FUL Proposed Scheme

20/00674/FUL Refused Scheme



Proposed Site Plan Layout 1:200

Proposed Site Plan Layout 1:200

6.3.4 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. It is considered the mix of traditional and contemporary design is concerning and that extending the main building requires a more 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 some 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. The number of dormers has reduced from 15 to 14 which is considered to not be sufficient to improve the design.



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 Concerns have been received in relation to the building causing a loss of privacy and light and being oppressive.

6.4.2 Whilst the windows in the south east elevations serving en-suites and store/plant rooms, these could be conditioned to be obscurely glazed to reduce overlooking, there is still the concern of the excessive massing and scale of the building and its oppressive presence which would be experienced by neighbours occupying the Wilkinson Avenue properties. It is considered unreasonable for these neighbours to experience an empty site to then experience a building that is 8.9m in height, approximately 17.3m (previously approximately 16.8m) in width and between 2.1m and 3m 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 12.5m 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. Whilst it is acknowledged the building has been moved further away from the south east boundary, the height of the building remains the same as previously proposed and the building does not step in to reduce the impact on these neighbouring gardens. 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.



Proposed Side Elevation

South east elevation of proposed building (facing Wilkinson Avenue)



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 is considered the amenity of future occupants is 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 mean overcoming both of 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 and requested for the dropped kerb access to be removed which was amended on the plans. This was due to the access onto the site from Wollaton Road being unsafe. A condition was advised that the cycle store should be constructed before occupants inhabit the building.
- 6.5.2 It is considered that due to 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 44 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 center 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 Planning permission has been granted 20/00091/FUL to convert the church which involves the conversion and addition of dormers and not to demolish it.
- 6.6.2 In response to the Private Sector Housing Officer's comments, the agent confirmed that the doors would only collide if opened at the same time which would be unlikely as they accommodate one person per room.
- 6.6.3 The matter of fire protection has been raised with the agent; however, no comments were received in regards to this matter. However, is a matter to be dealt with by Building Regulations.

## 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,

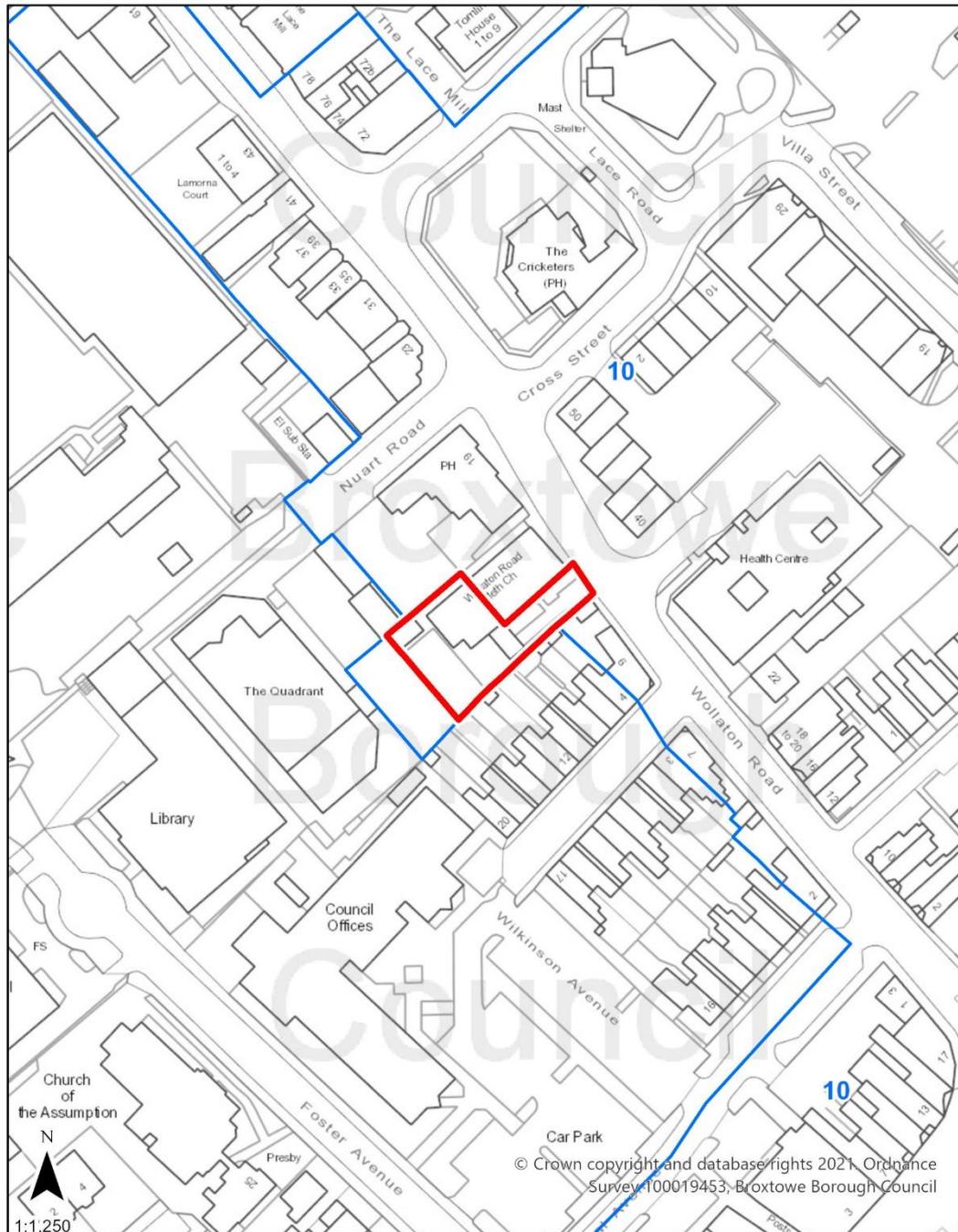
although the scheme would result in six HMO flats, this is not enough to overcome the concerns raised and therefore the application should be refused.

**8 Conclusion**

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

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be refused for the following reasons:</b>	
<b>1.</b>	<b>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.</b>
<b>2.</b>	<b>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.</b>
<b>3.</b>	<b>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.</b>  <b>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).</b>
<b>NOTES TO APPLICANT</b>	
<b>1.</b>	<b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b>

**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

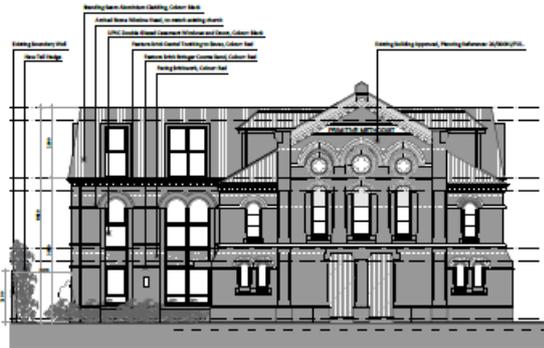


Facing north west towards Commercial Inn pub

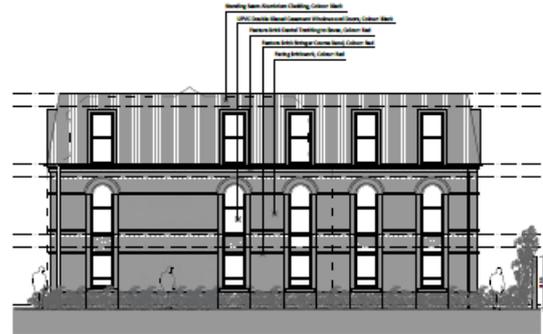


Facing south west (rear) boundary

**Proposed Plans 21/00941/FUL (not to scale)**



Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation

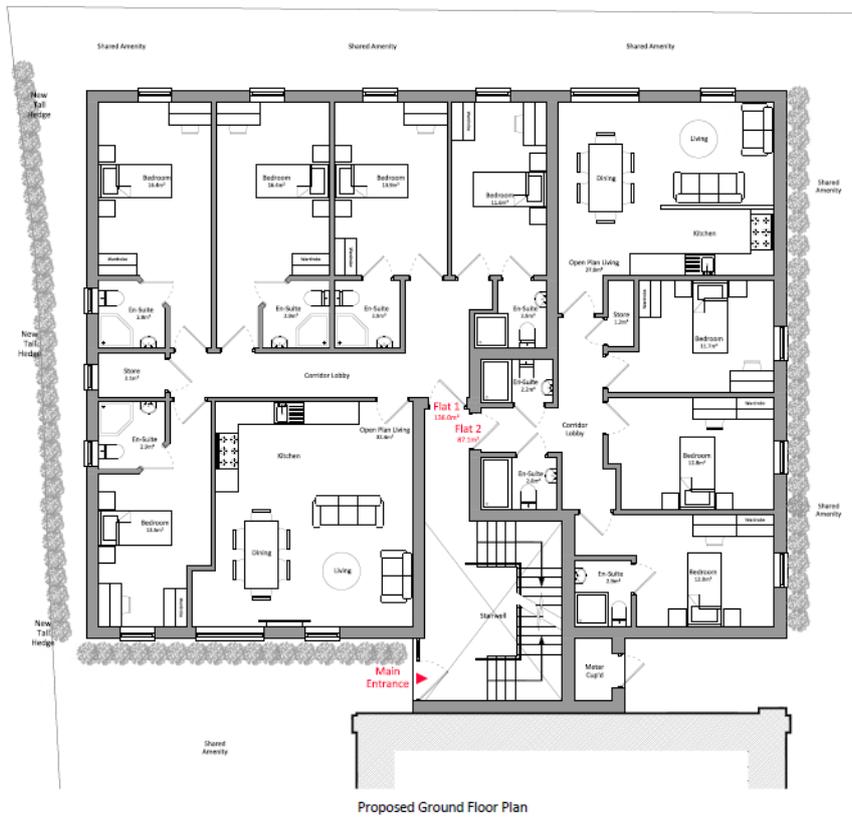


Proposed Side Elevation

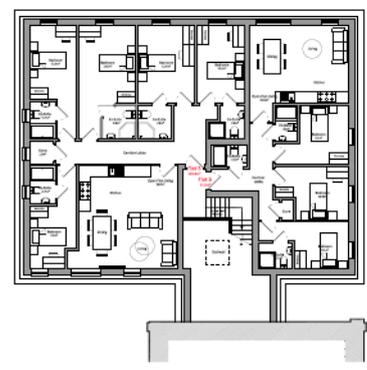




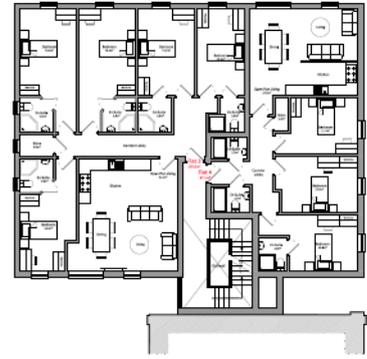
**Previous Refused Plans 20/00674/FUL (not to scale)**



Proposed Ground Floor Plan



Proposed Second Floor Plan



Proposed First Floor Plan