

Report of the Chief Executive

APPLICATION NUMBER:	23/00783/FUL
LOCATION:	101 - 103 Central Avenue, Beeston, Nottinghamshire, NG9 2QS
PROPOSAL:	Partial demolition and construct single storey extension to rear to extend retail space. Extension within roof void to create new dwelling; alterations and external works

The application is brought to the Committee at request of Councillor S J Carr.

1. Purpose of the Report

- 1.1 The application seeks planning permission for the erection of a rear single storey extension onto the existing ground floor retail unit and also the conversion of the loft space into an additional self-contained residential unit. Also included is the application is the installation of an external staircase.

2. Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix.

3. Detail

The application site consists of two storeys end terrace brick built property located on a central location of Central Avenue. The property has a retail unit on the ground floor with two residential units on the first floor. The majority of the properties within this stretch of road are made up of retail units to the ground floor and residential properties on the upper floors. To the front of the properties is a widened area of paving with parking between it and the public road.

4. Financial Implications

- 4.1 The comments from the Head of Finance Services were as follows: There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

- 5.1 The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6. Data Protection Compliance Implications

- 6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Climate Change Implications

Any climate change implications are contained within the report.

8. Background Papers

None.

APPENDIX

1. Details of the application

1.1 The application seeks planning permission for the construction of a rear single storey extension onto the existing ground floor retail unit and also the conversion of the loft space into an additional self-contained residential unit. Also included as part of the application is the installation of an external staircase.

2. Site and surroundings

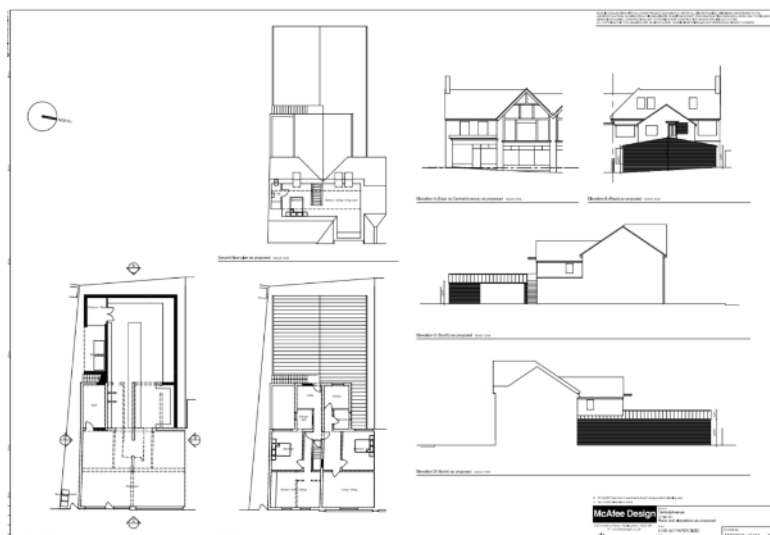
2.1 The application site consists of two storeys end terrace brick built property located on a central location of Central Avenue. The property has a retail unit on the ground floor with two residential units on the first floor. The majority of the properties within this stretch of road is made up of retail units to the ground floor and residential properties on the upper floors. To the front of the properties is a widened area of paving with parking between it and the public road.

3. Relevant Planning History

3.1

83/00582/FUL	Change use of premises to hot food shop	Permitted
83/00672/FUL	Change use from laundrette to retail chemist shop	Permitted
87/00277/FUL	Construct extension to shop	Permitted
22/ 00898/FUL	Construct single storey extension to rear to extend retail space; creation of self-contained apartment within roof level including insertion of rooflights to rear roof slope, insertion of door at first floor level rear elevation and construction of external stair to serve all upper floor accommodation	Permitted

3.2 This application is an amendment to a previously approved scheme 22/00898/FUL. The changes between the two applications are the removal of the approved upper floor rear extension and the relocation of the external staircase.



Previously approved plan for 22/00898/FUL

4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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

- Policy 8 - Housing Size, Mix and Choice
- Policy 10 - Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019:**

The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 13 – Proposals for Main Town Centre Uses in Edge-of-Centre and Out-of-Centre Locations
- Policy 15 - Housing Size, Mix and Choice
- Policy 17 - Place-Making, Design and Amenity

4.3 **National Planning Policy Framework (NPPF) 2023:**

- Section 2: Achieving sustainable development
- Section 4: Decision-making.
- Section 5: Delivering a sufficient Supply of Homes
- Section 6: Building a strong, competitive economy
- Section 7: Ensuring the Vitality of town centres
- Section 12: Achieving well-designed places

5. Consultations

5.1 **Councillors & Parish/Town Councils:**

- Councillor S. J. Carr – Requested the application be heard at planning committee.
- Councillor B C Carr - No Comments Received

Consultees:

- Environmental Health – No objection subject to a condition regarding opening hours of the shop and also an informative be added regarding construction hours and noise and the burning of commercial waste. A further pre commencement condition was requested requiring the submission of a construction method statement. The Construction/demolition statement has since been submitted and agreed with environmental health

Neighbours

- Eleven neighbours were consulted on the application with one objection being received from neighbouring properties and no comments from third parties. The objection raises the following points.
 - Existing work being carried out at the property approved under the previous application,
 - Existing parking issues from the site.

6. Assessment

6.1 Principle

The principle of external wall insulation and rendering within a residential area, is deemed acceptable subject to any assessment of the design and appearance and its impact on heritage assets.

6.2 Design

6.2.1 Policy 8 of the Aligned Core Strategy states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. All residential developments should contain adequate internal living space and a proportion of homes should be capable of being adapted to suit the lifetime of its occupants. Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 9 states that permissions will be granted for the expansion, conversion or redevelopment of land and premises for employment purposes on allocated and protected employment sites. Policy 15 of the Part 2 Local Plan 2019 states that developments of market and affordable housing should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the Borough and all age groups are met. Policy 17 of the Part 2 Local Plan 2019 states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

6.2.2 There are no proposed physical changes to the principle elevation of the property The proposed changes to the external of the property are all located to the rear of the site and given the surrounding infrastructure the only visible changes which will be seen from the public road will be the proposed external staircase.

- 6.2.3 The rear extension will be the only part of the proposal to create a visual impact on the building. The rear extension will be large in size measuring 14.3m in length and 10m in width with a ridge height of 3.5m and utilise the majority of the rear garden area. The extension will provide an additional 65.1m² of public floor space for the retail unit. The majority of the properties within this area have been extended out into the rear gardens already and so will assist in assimilating a rear extension into this location. The brick and profiled metal sheeting finish to the extension will provide a commercial feel to the extension, which given the limited views of the proposal is considered acceptable. This ground floor extension has been previously approved under 22/00898/FUL and could be implemented without the approval of this application.
- 6.2.4 The application includes the insertion of a new door at first floor level and an external staircase to access this. This door is a substitution for an existing window and given its location to the rear of the property and its relationship with the proposed extension, the door will only be partially visible. Given this fact the door is considered to have no additional negative impact on the property. The external staircase will have a parapet design on top of the ground floor extension will protrude 0.7m above the ridge line of the extension. Given its matching materials to the existing and proposed buildings along with its small scale and massing and limited public views, it is considered that the external staircase will have no negative impact on the overall visual impact of the building on the surrounding streetscape.
- 6.3 Amenity
- 6.3.1 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.
- 6.3.2 The proposed rear extension is a single storey extension and given its low height and use as a commercial extension along with its design with no side windows it is considered to have no negative impact on neighbour amenity. Given the proposed extensions design and location on the existing property and its relationship with the neighbouring houses it is considered that there will be no additional loss of sunlight/daylight to the surrounding neighbouring amenity spaces.
- 6.3.3 The proposed external staircase runs adjacent to the existing buildings rear wall. Once constructed this would face directly onto the neighbouring property to the south. However, given its location on the building and its relationship facing directly onto a rear flat roofed extension it is considered to not create any overlooking issues or have any negative impact on neighbour amenity. A new access door is to be added at first floor level in place of an existing window. Given a window already exists in this location there will be no additional overlooking or negative impact on neighbour amenity created.

6.3.4 The addition of the residential units within the upper floors of the existing building has been approved previously under 22/00898/FUL and could be implemented without the approval of this application.

6.4 Access

6.4.1 The proposal will create an additional 105m² of useable retail space and also a residential unit. This creates the potential for additional pedestrian and vehicle movements to and from the site. There is no onsite parking within the site but there is road side parking available. Concerns have been raised with regards to the impact on road safety given the additional vehicles that will be associated with the proposed flats and the retail extension. The residential flat may add extra vehicles to the parking requirements and the extension to the retail space may also attract additional vehicle movements although it could be argued that the additional retail space would not attract any additional customers to the premises.

6.4.2 Given these facts and the available parking outside the property and on the neighbouring street there are no traffic regulations in place which would impact parking for users of the property it is considered that there is no requirement for additional parking to be created and there will be no additional negative impact on road safety.

7. Conclusion

7.1 It is recommended that conditional planning permission be granted.

<u>Recommendation</u>	
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 this permission. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development hereby permitted shall be carried out in accordance with the following plans received by the Local Planning Authority on 30 October 2023: <ul style="list-style-type: none"> • Site Location Plan (Drawing Number: MD 2212 (EX)00 A), and the following plans received by the Local Planning Authority on 28 November 2023: • Proposed Site Plan (Drawing Number: MD 2212 (EX)02 A), • Proposed Elevation and Floor Plans (Drawing Reference MD 2212 (EX)01 A), <i>Reason: For the avoidance of doubt.</i>

<p>3.</p>	<p>The proposed extension and external stairs shall be constructed using bricks on the walls to match the existing property and profiled metal sheeting to the roof as specified in the application form received by the Local Planning Authority on 14 June 2023, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>4.</p>	<p>The retail premises shall not be used except between 07.00- 23.00 hours Monday to Saturday and 08.00-22.00 hours on Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority.</p> <p><i>Reason: To protect nearby residents from excessive operational noise and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>NOTES TO APPLICANT</p>	
<p>1.</p>	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
<p>2.</p>	<p>You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).</p>
<p>3.</p>	<p>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.</p>

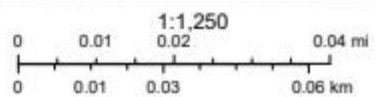
Map

23/00783/FUL



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 Site



Photos





Plans

