

Report of the Chief Executive

APPLICATION NUMBER:	19/00314/FUL
LOCATION:	FORMER BEESTON SCOUT HEADQUARTERS WAVERLEY AVENUE BEESTON
PROPOSAL:	CONSTRUCT THREE STOREY APARTMENT BLOCK CONTAINING FOUR 2 BED UNITS AND TWO 1 BED UNITS

The application is brought to the Committee at the request of Councillor P Lally.

1 Executive Summary

- 1.1 The application seeks planning permission for the erection of a three storey detached building comprising six apartments, with two parking spaces, cycle and bin storage.
- 1.2 The site was formerly occupied by a Scout Hall, which has recently been demolished. The site is now cleared.
- 1.3 The main issues relate to whether the principle of residential development is acceptable, if the design, scale and massing and impact on neighbours is acceptable, and the impact on highway safety and parking.
- 1.4 The benefits of the proposal are that it would see the redevelopment of a vacant site, would provide housing in an existing urban area and would be in accordance with the policies contained within the development plan. This is given significant weight. There are neighbour concerns relating to parking, scale of development and impact on neighbouring amenity. It is considered that these issues are outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The proposal seeks to build a three storey detached building containing six apartments (four x 2 bedrooms, and 2 x one bedroom). The building is proposed to be positioned to front the Queens Road / Station Road junction, and would have a centrally located glazed entrance, via steps, from the south eastern corner. The building would have a pitched roof set back from the second floor roof edge and the third storey would be accommodated within this roof space. Dormer windows would be to the front and rear elevation.
- 1.2 Vehicle access to the site would be from Waverley Avenue, utilising the existing access. Parking, servicing, bin and cycle storage would be provided to the rear of the building. Two parking spaces and six cycle spaces would be provided. The cycle and bin store would be in an enclosed area to the south west of the building, adjacent to the Waverley Avenue boundary. A gated pedestrian entrance to the rear of the plot would be provided between the proposed building and 198 Station Road.
- 1.3 The building would be faced mainly in red brick, with cement cladding panels to either side of the full height glazed entrance and stair core, to the centre of the frontage, and to the dormers, with cement tiles to the roof. A brick wall with railings between piers is proposed to the frontage of the site.

2 Site and surroundings

- 2.1 The site, irregular in shape, is located at the junction of Station Road (to the north east), Queens Road (to the south east) and Waverley Avenue (to the south west) and was formerly occupied by a scout hall, a detached single storey timber faced building with a pitched roof that sat centrally within the site. Large advertisement hoardings enclosed the site to the Queens Road and Station Road frontage, with timber fencing and gates to the Waverley Avenue boundary. The scout hall has been demolished and the hoardings removed.
- 2.2 There are two dwellings which share a common boundary with the site. 4 Waverley Avenue is to the north west of the site. This is a two storey detached property which has a single storey flat roof garage adjacent to the application site. There are no windows in the side elevation of this property, facing the site.
- 2.3 198 Station Road is to the north of the site. This is a two storey semi-detached property and has a two storey wing at right angles to the main house, at the rear, typical of a Victorian semi. This property has habitable room windows at both ground and first floor within the side elevation of the wing, facing the site.
- 2.4 To the south west of the site, on the opposite side of Waverley Avenue, is 286 Queens Road. This is a two storey end of terrace dwelling with a two storey extension to the rear. There are habitable room windows at both floor levels facing toward the site. Two and three storey dwellings continue south west along this side of the road.

- 2.5 In the wider area there is a mix of uses. To the north east, on the opposite corner of the junction, advertisement hoardings enclose a commercial use behind. There is a retail unit beyond, facing onto Queens Road. Residential uses continue north east along Queens Road. To the east, on the diagonally opposite corner, there are further retail units housed in a two storey building, which turn the corner into Station Road. To the south of the junction, and south east of the site, there is a flat roof single storey building which is occupied by a supermarket. To the south west of the supermarket, further along Queens Road, there are two blocks of three storey apartments.
- 2.6 The site occupies a prominent position within the street scene, and is approximately 800m south of Beeston Town Centre. The site is within Flood Zones 2 and 3.

3 Relevant Planning History

- 3.1 There is no relevant planning history for this site.

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 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand

4.2 **Saved Policies of the Broxtowe Local Plan (2004):**

- 4.2.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.4). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy E26: Pollution
- Policy E34: Control of Noise Nuisance
- Policy T11: Guidance for Parking Provision

4.3 **Part 2 Local Plan (Draft)**

- 4.3.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 1, 17 and 19 but has suggested changes to other policies, including Policy 15. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policies 1,

17 and 19 can now be afforded moderate weight, with Policy 15 being afforded limited weight.

- Policy 1: Flood Risk
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, design and amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions

4.4 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change.

5 Consultations

- 5.1 **County Council as Highway Authority:** Notes that the site is in a highly sustainable location, being within walking distance of bus stops, train station and Beeston town centre. As such, and subject to conditions, the Highway Authority does not raise any objection to the proposal in regard to road safety. Notwithstanding this, it is noted that the residents of the proposed development may cause inconvenience to the existing residents and their visitors, should parking from the development overspill onto the adjacent streets. Recommends conditions in regard to the provision of the parking area and cycle storage prior to occupation and retention for the life of the development, widening of the existing dropped kerb, no planting within the demise of the public highway and no windows to open over the public highway. The latter two items will be a note to applicant, as these are matters considered to be in the control of the Highway Authority.
- 5.2 **Council's Environmental Health Officer:** No objections subject to the noise mitigation measures of the noise assessment being implemented prior to occupation and retained for the life of the development.
- 5.3 **Environment Agency:** No objections subject to the development being carried out in accordance with the submitted Flood Risk Assessment (FRA). This will be secured by condition.
- 5.4 **Waste and Recycling Officer:** No objections. Advises on the requirements for bin sizes, storage, and collection. The site layout demonstrates that this can be achieved.
- 5.5 **Building Control Officer:** Whilst all new dwellings require level access, where this is not possible, e.g. ground orientation or constraints on floor levels level access will not be a requirement of building regulations. The development, having a floor level of 1.1m above ground level, and a lack of space within the site boundaries, would not be required to install a ramped access and an ambulant stepped access would be considered acceptable.

5.6 Seven properties either adjoining or opposite the site were consulted and a site notice was displayed. 28 objections were received. The grounds of objection are:

- The development will result in additional parking on Waverley Avenue and surrounding streets, where it is already busy with vehicles from commuters and properties on Station Road and Queens Road, where there is little or no on street parking. There is not enough parking proposed within the site, would like to see the development changed to accommodate more parking.
- While the public transport options in Beeston are good, Waverley Avenue is used as a cut through as it is quieter and safer than Station Road. More on-street parking would compromise the current safety in terms of visibility.
- A residents' only parking scheme on Waverley Avenue and surrounds should be provided, or 2 hours restricted parking for non-residents.
- Access out onto Waverley Avenue (from the site) would be unsafe, as cars would need to reverse out and visibility is restricted, being a hazard for any vehicle turning into Waverley Avenue from Queens Road.
- Has a transport report been carried out, to assess the impact upon parking.
- The site, now cleared, appears too small to accommodate six apartments (over- intensive development)
- A building of three storeys in height would be out of keeping and would appear overbearing.
- Properties to the rear will be overlooked (resulting in a loss of privacy) and the development would result in a loss of light.
- Two family sized dwellings with parking would be better suited to the site.
- The proposed development does not cater for less abled persons, with no lift access or ground floor level access.
- The proposed building, which is modern in design and choice of materials, is not in keeping with the surrounding properties which are over 100 years old.
- The site address (as it is non-standard) is not easily found if searched for on the planning website and this should be changed.
- The proposal offers no affordable housing
- The density of development would generate a disproportionate amount of noise for a very small site.
- No garden area proposed and rainwater will be sent to the sewerage system, so queried if this is good for the environment.
- The site is located at a very busy junction, and the building would overshadow this corner. This will not help pollution from the traffic, and no trees are proposed to mitigate this. Existing trees have been removed.
- Unsafe design, with entrance steps aligning directly toward a pedestrian crossing on a main road junction, likelihood of children running down these steps and into the traffic.
- Existing street furniture has not been shown on the plans.
- A canopy is proposed however this has not been shown on the elevations.
- Concerns regarding fire exit routes.
- The text states dwarf wall for the boundary however the elevations show a wall with fence above.

- The development should include charging points in the parking spaces, and should include solar panels, to ensure that services in the area are not placed under strain.

An observation was given that the demolition of the unsightly scout hut, to be replaced by an attractive development is a positive.

An additional letter was received which suggests names for public speaking should the application come to committee.

6 Assessment

6.1 The main issues for consideration are impact on the amenities of the occupiers of neighbouring property; impact on highway safety and parking; flood risk; and amenity of the future occupiers of the apartments.

6.2 **Principle**

6.2.1 The site is not allocated for any specific purpose within the Broxtowe Local Plan 2004. Whilst there is a mix of uses in the area, the immediate surrounds to the north, north west and south west is one of a residential character. The principle of residential development on this site is acceptable, subject to the considerations set out below.

6.3 **Amenity**

6.3.1 The rear elevation of the proposed building, which faces both 4 Waverley Avenue and 198 Station Road, would have four windows at ground floor level, which would face these two properties, and three windows at first floor level. Two of the first floor windows would be oriel windows, which are angled so as to face toward Waverley Avenue. At roof level, there are two dormers proposed. These dormers would have solid panels and privacy glass to the rear facing elevation, with glazed panels to the south side cheek, looking toward Waverley Avenue. As such it is considered that the development would not result in a loss of privacy for the occupiers of these two properties. In regard to outlook and loss of light, it is considered that the building, being positioned to the east and south east of the site, would not result in a significant loss of light for these occupiers, and in terms of outlook, there are no facing windows in the south east side elevation of 4 Waverley Avenue. It is considered the outlook from the windows in the rear wing at 198 Station Road would not be significantly affected.

6.3.2 286 Queens Road, to the opposite side of Waverley Avenue, has windows in the side elevation facing the site. Whilst there are windows proposed in the side elevation of the proposed building, and the oriel and dormer windows face toward Waverley Avenue, it is considered that due to the distance between, over the public highway, the development would not have a significant impact on the amenities of the occupiers of this property.

6.3.3 It is considered that the internal layout would provide the future occupiers with an acceptable amount of living space and access to natural light and an outlook. The one bedroom apartments, to the second floor, and one of the first floor

apartments would have access to a balcony to the front of the building. The remaining three apartments would have Juliette balconies.

6.3.4 The site is located at a busy traffic controlled junction. A noise assessment has been submitted which includes recommendations for mitigation measures such as choice of building materials, glazing and ventilation requirements in order to ensure that the future occupants are protected from background noise arising from traffic standing at the junction, and general road noise. The mitigation measures set out in the Noise Assessment shall be secured by condition, in order to safeguard the living conditions of the future occupiers.

6.3.5 In response to the concern raised in regard to noise from the development, it is considered that this would be acceptable given the existing background noise of the busy main road.

6.4 Design, scale and appearance

6.4.1 The application site occupies a prominent position within the street scene and as such it is important that the scale and massing as well as the design and materials are of a high quality.

6.4.2 A three storey building is proposed, built slightly set back from the pavement. There are three storey buildings within the area, these being the apartment buildings to the south west of Queens Road, and there are tall Victorian two storey dwellings along the same side of Queens Road as the application site, as well as along Station Road, directly adjacent to the site. The proposed building has the third storey accommodation within the roof, which has a pitched roof inset from the building edge, and dormers. This reduces the scale of the building to that similar to other buildings in the area. A full height glazed entrance, with contrasting bricks, is shown to the front elevation and it is considered that this would help to minimise any impact in terms of massing. A canopy over the entrance is proposed, and this has now been shown on amended plans. It is considered that the density of the site is appropriate and is in keeping with the character of the area.

6.4.3 The materials proposed are to be a mix of red brick, grey cement cladding panels, grey powder coated aluminium window and door frames, and grey slates. These materials reflect the material palette of the surrounding buildings and are considered acceptable in principle. Details of materials will be secured by condition.

6.4.4 There would be a brick boundary wall with railings along the street frontage, to Queens Road / Station Road, at a height of 1.8m. Sliding gates and brick piers, to a height of 1.1m, would be proposed to the vehicle entrance on Waverley Avenue. The bin and cycle store, which is adjacent to the south west elevation, would be enclosed by a 2.1m brick wall. Landscaped areas would be provided within the site, to the front behind the boundary wall, and to the rear, which would help to mitigate the loss of any vegetation that previously existed within the site. Details of landscaping will be secured by condition.

6.5 Access and Parking

- 6.5.1 Vehicular access into the site will utilise the existing access from Waverley Avenue. This is considered to be acceptable due to the site's location at a junction, which constrains alternative vehicular access. A pedestrian gate would be provided off Station Road, giving access to and from the parking area.
- 6.5.2 Access into the building is via a stepped entrance to the front elevation. The ground floor level is raised to ensure the ground floor level is above the 1 in 100 year flood level. Whilst the entrance would not be fully accessible by all potential occupiers, it is considered that due to the site's location within Flood Zone 3, a stepped entrance would be acceptable. Access into the building would need to comply with Building Regulations.
- 6.5.3 Two parking spaces and six cycle spaces are proposed within the site.
- 6.5.4 It is clear from the consultation responses that there is significant concern that the development does not include sufficient parking provision within the site and that this would lead to increased demand for on-street parking. Concerns are also expressed in regard to existing congestion along Waverley Avenue and adjacent streets.
- 6.5.5 In regard to assessing the highway impacts of a proposal, paragraph 109 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.
- 6.5.6 The site lies within close proximity to both Beeston town centre (10 minutes walk) and to the railway station (5 minutes walk). Bus services also run along Queens Road and Station Road, and bus stops are close by. The parking spaces are of sufficient dimensions. It is accepted that there may be additional parking demand from the development and this may lead to on-street parking along Waverley Avenue. However, it is considered that there would not be a severe highways impact and residents would have the opportunity to use more sustainable transport options. Furthermore, the Highways Authority states no objection and it is considered that a pragmatic approach also needs to be taken in respect of developing sites within existing urban areas. Based on the above, it is considered that there would not be sufficient policy justification for refusing the application on transport or parking grounds, or for a requirement to submit a transport report, given the scale of the development. A request for a residents parking permit scheme or similar is a matter for the County Council.
- 6.5.7 A condition is required to ensure that the dropped kerb is extended and the parking area suitably surfaced and drained, and available for use, prior to the occupation of the apartments.

6.6 Flood Risk

6.6.1 The site is within Flood Zones 2 and 3. A Flood Risk Assessment (FRA) has been submitted and the Environment Agency has raised no objections subject to the development being carried out in accordance with the FRA, which include the elevated internal floor levels; the use of flood resistant external materials; high level utility services and sockets; and non-return valves fitted to drains. An appropriate drainage system would be included. It is considered that the proposal would satisfactorily mitigate flood risk.

6.7 Other Matters

6.7.1 A question has been raised in the consultation responses in regard to providing two dwellings instead of the apartment building. The site though is constrained, and it is considered that a proposal for two dwellings would still need to accommodate off-street parking as well as providing adequate external amenity areas. Whilst the comment is noted, the proposal would need to be considered as submitted.

6.7.2 The Local Plan policy requirement (Policy H5) to provide affordable housing would not apply for proposals of less than 25 units and as such it would be unreasonable to request this as part of the current application.

6.7.3 Comments with regard to the site address, use of stepped entrance by children, street furniture and fire exits are noted but are not considered to be material planning matters.

6.7.4 The lack of charging points for vehicles and solar panels have been raised as an objection. Whilst these would be desirable, there is no policy requirement for these, however the building would need to comply with the latest building regulations in respect of sustainability.

7 Planning Balance

7.1 The benefits of the proposal are that it would see the redevelopment of a vacant site, would provide housing in an existing urban area and would be in accordance with the policies contained within the development plan. This is given significant weight and is considered to outweigh the local objections to the scheme.

8 Conclusion

8.1 The proposed development of six apartments is considered to be acceptable and would not be harmful to the character or appearance of the area. The proposal also gives an opportunity to return the site into use and provide housing. Residential amenity will not be unduly affected by the proposals.

Recommendation

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

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.

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.

2. The development hereby permitted shall be carried out in accordance with the Site Location Plan and drawings numbered 2598(08)003 rev A, 2598(08)RPL rev A, 2598(08)FFL rev C, 2598(08)2FL rev C, 2598(08)S01 and 32216_T received by the Local Planning Authority on 17 May 2019 and 2598(08)E01 rev B, 2598(08)E02 rev B, and 2598(08)GFL rev D, received by the Local Planning Authority on 26 June 2019.

Reason: For the avoidance of doubt.

3. No building operations shall be carried out until details of the manufacturer, type and colour of the bricks, tiles and cladding to be used in facing elevations and dormers have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.

Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).

4. No above ground development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:

- (a) numbers, types, sizes and positions of proposed shrubs
- (b) proposed hard surfacing treatment
- (c) planting, seeding/turfing of other soft landscape areas.

The approved scheme shall be carried out strictly in accordance with the agreed details.

Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).

5. No part of the development shall be occupied until the vehicular access has been widened, made available for use and constructed in accordance with the Highway Authority specification. The access shall thereafter be retained

for the lifetime of the development.

Reason: In the interests of highway safety in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).

6. No part of the development hereby permitted shall be brought into use until the parking and turning areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 2598(08)GFL rev D. The parking and turning 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 and turning of vehicles.

Reason: In the interests of highway safety in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).

7. No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on drawing 2598(08)GFL rev D has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.

Reason: In the interests of promoting sustainable modes of transport, in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).

8. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.

Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).

9. The development shall be carried out in accordance with the submitted flood risk assessment (reference FRA-MA10992-R01) and finished floor levels shall be set no lower than 27.84m above Ordnance Datum (AOD); and flood resilience construction measures shall be incorporated throughout the development as stated within.

These mitigation measures shall be fully implemented prior to occupation, and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with the aims of Policy 1 of the Aligned Core Strategy (2014).

10. The development shall be carried out in accordance with the noise mitigation measures as detailed in section 7.5 and 7.6 of the Acute Acoustics Ltd Noise Assessment dated 17th May 2019.

Reason: In the interest of the amenities of the future residents and in accordance with the aims of Policy E34 of the Broxtowe Local Plan (2004).

NOTES TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the eight week determination timescale.
2. 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.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

3. The proposal makes it necessary to widen the vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services on telephone 0300 500 80 80 to arrange for these works to be carried out.
4. No planting shall take place within the limits of the adopted highway.
5. No windows or doors at ground floor level shall overhang the adopted highway.
6. Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There should also be no bonfires on site at any time.



Legend

-  Site
-  Flood Zone 3
-  Flood Zone 2

Photographs



The application site. 4 Waverley Avenue to the left, and 198 Station Road to the right



View from opposite corner, to the east



View from junction of Waverley Avenue



4 Waverley Avenue



198 Station Road



From Station Road across the site, looking toward 286 Queens Road



The Co-op supermarket opposite the site



Hoardings to corner Station Road and Queens Road



View down Waverley Avenue toward Queens Road, with 286 Queens Road to the right

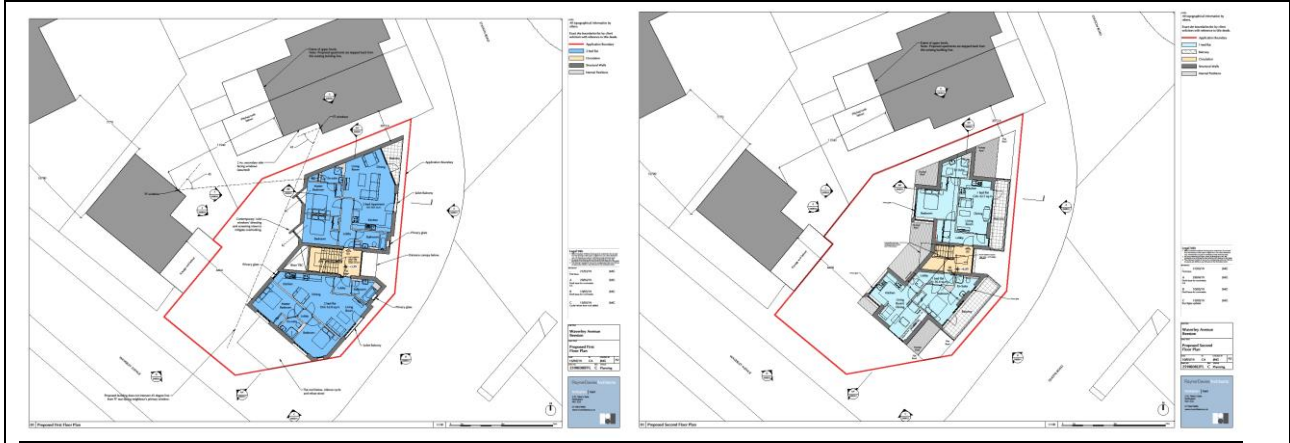


View of the junction

Plans (not to scale)



Proposed ground floor layout



Proposed first and second floors



Proposed front elevation



Proposed rear elevation