

Report of the Chief Executive

APPLICATION NUMBER:	19/00600/FUL
LOCATION:	LAND ON THE NORTH WEST SIDE OF THE MAN IN SPACE, NOTTINGHAM ROAD, EASTWOOD, NOTTINGHAMSHIRE
PROPOSAL:	CONSTRUCT THREE STOREY APARTMENT BUILDING CONTAINING 8 APARTMENTS, INCLUDING 8 CAR PARKING SPACES

The application has been called in to Committee by Cllr M Radulovic MBE.

1 Executive Summary

- 1.1 This application seeks permission to construct an 8 unit apartment block, including a car park with 8 parking spaces. The proposed development will be 3 storeys and front on to Nottingham Road. All apartments will have 1 bedroom and will be approximately 40 – 41 sq.m in size.
- 1.2 The proposed development is between a Sainsbury local and a café and takeaway with residential flats above. There are residential dwellings fronting on to Cross Street to the rear of the site and a mix of uses to the north of Nottingham Road. It is considered that the proposal will not result in an unacceptable loss of amenity for any neighbouring residents.
- 1.3 There are a mix of property styles and sizes in the surrounding area and it is considered that the proposal will not be out of keeping with the character of the area. The proposed development will follow the building line of the neighbouring property to the north west with adequate separation and a change in roof height to ensure it will not result in a terraced effect that would be harmful to the street scene.
- 1.4 The parking and access arrangements to the rear of the proposed development are considered proportionate to the scheme and therefore acceptable. It is considered that the proposal will not result in an unacceptable impact on highway safety.
- 1.5 The proposal will result in the re-development of a vacant brownfield site in a built up area, contributing to the Council's housing supply in a sustainable location. The development will have a modern but simple design that is not harmful to the street scene or out of keeping with the character of the area. Whilst the development may result in some loss of light to the flats to the north west of the site, it is considered that the positive impacts of the development on balance outweigh any potential harm.
- 1.6 Overall it is considered that the scheme is acceptable and it is therefore recommended planning permission is granted in accordance with the resolution contained within the appendix.

1 Details of the Application

- 1.1 This application seeks permission to construct a 3 storey, 8 unit apartment block. The apartment block will front on to Nottingham Road, with the application site covering the land between Nottingham Road and Cross Street to the rear. Vehicular access to the site will be provided via Cross Street, with parking for 8 cars being to the rear of the proposed apartment block. The proposal has a contemporary design with a flat roof and a mix of render and brickwork finishes.

2 Site and surroundings

- 2.1 The proposed development will be situated on a vacant site between Nottingham Road and Cross Street. The land slopes away from the north east to the south west of the site. There is a mix of retail units and residential properties in the surrounding area including a Sainsbury local and vets with associated car parks immediately to the south east of the site and a café and takeaways with flats above immediately to the north west. Residential dwellings are situated opposite the proposed access to the site on Cross Street and two dwellings have recently been constructed immediately to the south west.

3 Relevant Planning History

- 3.1 Outline planning permission 14/00437/OUT was granted in 2014 to construct a ground floor retail unit with 4 No. residential flats above. An application for reserved matters for this scheme was never submitted and the outline permission has therefore now expired.

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 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
- Policy 20: Air Quality

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

- Section 2 – Achieving Sustainable Development.

- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.

5 Consultations

- 5.1 **Council's Environmental Health Officer:** No objection raised.
- 5.2 **Highways Authority:** No objection. Has referred to the Highways Authority standing advice which advises that 1 parking space per 1 bedroom apartment is acceptable.
- 5.3 18 properties either adjoining or opposite the site were consulted and a site notice was displayed. 1 objection has been received on the grounds of traffic generation and access.
- 5.4 A 7 day re-consultation was carried out following the submission of amended plans and no additional comments from members of the public have been received.

6 Assessment

- 6.1 The main issues for consideration are the impact of the proposal on neighbouring amenity, design and appearance and the impact of the proposal on highway safety.
- 6.2 Amendments to the original proposal were sought including changes to the front elevation to break up the massing by stepping the front elevation, increasing the size of the openings and recessing the openings. The position of the bin store was also moved so it would not be in line with the rear garden of the neighbouring dwelling. Amended plans were submitted and a 7 day re-consultation was carried out.
- 6.2 **Principle**
- 6.2.1 The application site is not covered by any site specific planning policies. It is a vacant brownfield site in a built up area consisting of retail units, cafes and residential dwellings. It is therefore considered that the principle of residential development on this site is acceptable and would be in accordance with Policies 15 and 17 of the Local Plan Part 2.

6.3 **Amenity**

- 6.3.1 To the north west of the application site is a development which includes cafes and hot food takeaways at ground floor level with residential flats at first floor level. There are two small windows facing towards the application site at first floor level. The proposed development will be set in from this boundary by approximately 1.6m, with the neighbouring property set in from the boundary by approximately 1.2m. The application property will be slightly taller than the existing building to the north west. However, due to the size and position of the windows and the relationship with the application site, it is considered there will not be an unacceptable impact. It is also noted that these windows rely on light and outlook from outside of the ownership of that property. The furthest forward window of the neighbouring building is also a relatively small opening and therefore it is considered that the loss of light experienced by this property will be minimal.

- 6.3.2 There are two openings proposed on each level of the apartment block on the north west side. Whilst these openings face towards the neighbouring property to the north west, these windows will serve the staircase and not a primary living area. Provided the windows are obscurely glazed it is considered that the proposal will not result in an unacceptable loss of amenity for the residents of the flats to the north west of the site.
- 6.3.3 The rear elevation of the proposed apartment block will be approximately 21.8m from the south west boundary of the site, adjoining Cross Street. There are two relatively new dwellings that adjoin the site and are located on Cross Street. These dwellings face on to Cross Street, with their rear gardens being towards to the proposed apartment block. There will be a separation distance of approximately 14m between the rear elevation of these dwellings and the rear elevation of the proposed apartment block, which is considered sufficient to ensure it will not result in an unacceptable sense of enclosure for the residents of these dwellings.
- 6.3.4 There will be openings on the rear elevation of the proposed apartment block and these may result in some overlooking of the rear gardens of the two dwellings on Cross Street. However, the proposed apartment block is not directly behind these dwellings, and the angle is considered sufficient to avoid an impression of direct overlooking from the proposed apartment block. It is therefore considered the proposal will not result in an unacceptable loss of privacy for the residents of the dwellings.
- 6.3.5 The bin store will be in line with the side elevation of the neighbouring property on Cross Street and it is noted that a new retaining wall with 2m high timber fence will be installed along the boundary. The bin store will not go beyond the rear elevation of the neighbouring property which in combination with the boundary treatment, is considered to be sufficient to ensure the bin store will not result in an unacceptable impact on the neighbouring residents. It is considered appropriate to condition that the boundary wall and fence is built prior to the first use of the development and for details of the bin store to be submitted prior to occupation.
- 6.3.6 Other nearby properties on Cross Street are on the south side of the road, facing towards the application property. The rear elevation of the development will be approximately 32m from the front of these dwellings which, despite the change in level, is considered a sufficient distance to ensure it will not result in an unacceptable loss of amenity for any of these properties.
- 6.3.7 To the east/south east the application site adjoins the site for Sainsbury Local and vets and the associated car park. Due to the nature of these uses and the intervening car park, the proposal will not result in any loss of amenity to this side.
- 6.3.8 The apartment block will be set back from Nottingham Road by approximately 6m, giving a separation distance of approximately 25m from the front elevation of the properties on the north side of the road. It is considered that this separation is sufficient to ensure that the proposal will not result in an unacceptable loss of amenity for the neighbouring properties to the north of Nottingham Road.
- 6.3.9 The proposed apartments will all be either 40 or 41 sq.m in size and will each have one bedroom, an open plan living room and kitchen and a shower room. It is

considered that the principal living rooms in each apartment will have sufficient natural light and ventilation and will have open outlooks. Overall it is considered that the future occupiers of the proposed apartments will have a satisfactory level of amenity.

- 6.3.10 The site is not in an Air Quality Management Area. In addition, the approval of residential developments that are within walking distance of bus provision is considered to have a positive benefit on wider air quality issues by encouraging public transport use and therefore reducing the need to travel by private car.
- 6.3.11 Overall it is considered that the proposed apartment block will not result in an unacceptable loss of amenity for any neighbouring properties and that the future occupiers of the development will have a satisfactory level of amenity in accordance with Policy 17 of the Broxtowe Part 2 Local Plan.

6.4 Design and Appearance

- 6.4.1 The proposed design is for a three storey apartment block that fronts on to Nottingham Road. It is set back from Nottingham Road by approximately 6m, following the building line of the neighbouring property to the north west. It will have a reasonable separation distance from the neighbouring property to the north west and the slightly taller block will help to break up the street scene without resulting in an overly dominant development. The change in height and clear difference in style between the application property and the properties on either side ensures it will not result in a terraced effect that would be harmful to the street scene.
- 6.4.2 Whilst the change in land level from Cross Street to Nottingham Road will give the apartment block a more prominent appearance from Cross Street, it is considered that it is set far enough into the site to ensure this will not be overly dominant in the street scene to the rear.
- 6.4.3 The proposed development has a modern design with a flat roof and mix of render and brick finish on the facing elevations. The front elevation is slightly staggered and the openings are recessed which works to break up the elevation whilst retaining a simplicity to the design. The front elevation has been designed with large openings that are in proportion with the scale of the front elevation.
- 6.4.4 This section of Nottingham Road has a range of building types with more traditional properties to the north side of the road, and a mix of more modern buildings along the south side of the road. There is a mix of materials throughout the area including traditional red brick, lighter bricks and render. Taking the mix of property types and scales in the surrounding area into account it is considered that the proposed apartment building will not be out of keeping with the character of the area.
- 6.4.5 There are two street trees beyond the frontage that will not be affected by the development.
- 6.4.6 Overall it is considered that a satisfactory standard of design has been achieved.

6.5 Access

- 6.5.1 The Highways Authority has not raised any objection to the proposal, stating that their standing guidance should be taken into account when determining the application.
- 6.5.2 The proposal includes a car park to the rear of the development, with parking provided for 8 cars which is considered sufficient to ensure the proposal will not result in a significant increase in on street parking in the surrounding area. The access to the site will be approximately 5m wide which is sufficient for the proposed number of apartments. Access to the car park will be off Cross Street, which is a relatively short stretch of road with a 30mph limit. The access is not in close proximity to the junction and taking into account the speed restriction of the road it is considered that safe access and egress to the site can be achieved.
- 6.5.3 The addition of 8, 1 bedroom apartments is not considered to result in an unacceptable amount of additional traffic in the surrounding area. Furthermore, the development is in close proximity to bus stops on Nottingham Road as well as a number of local amenities such as shops, which will reduce reliance on cars for local use.
- 6.5.4 Overall it is considered that the proposal will not result in any unacceptable highway safety issues.

7 Planning Balance

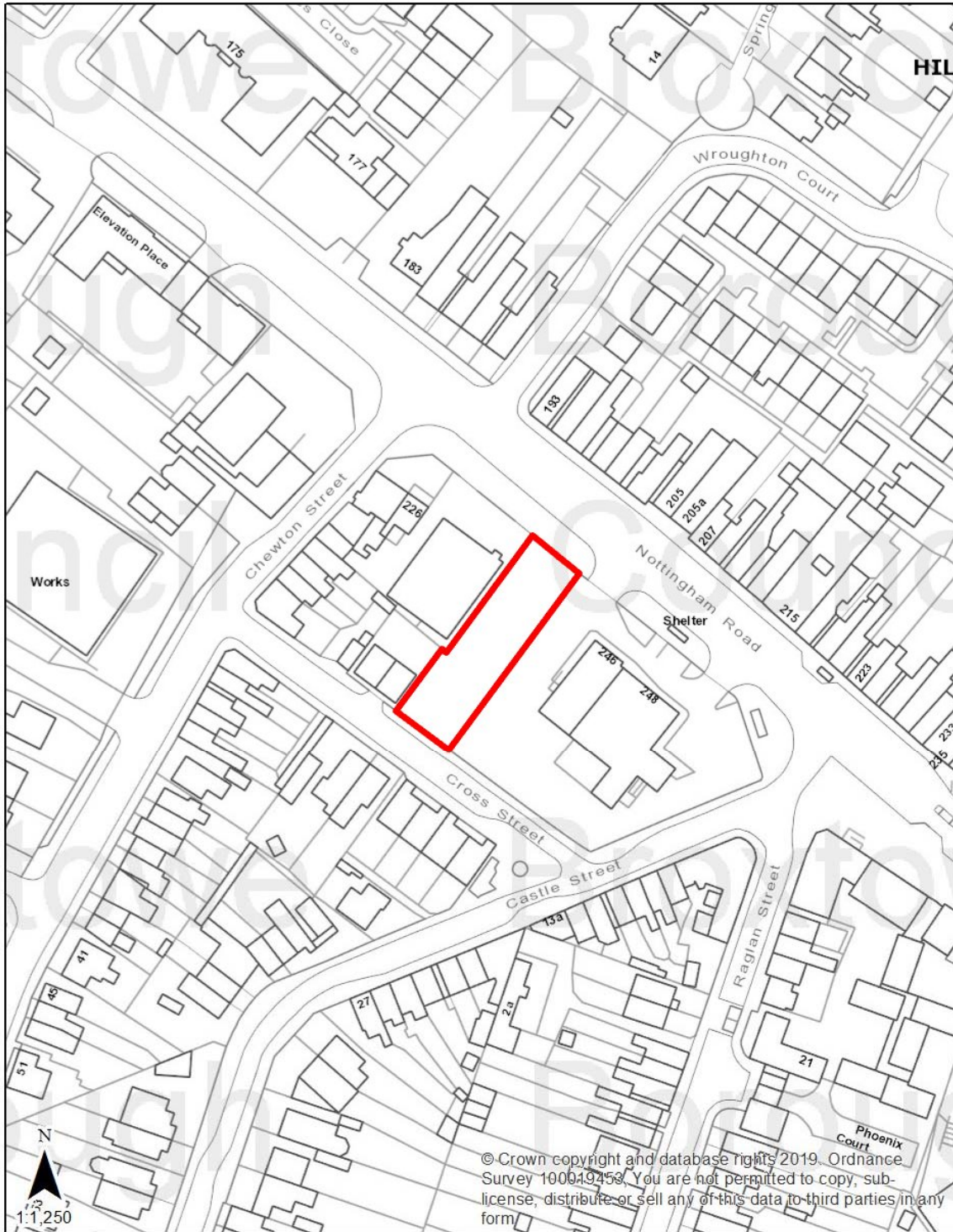
- 7.1 The benefits of the proposal are that it will result in the re-development of a vacant brownfield site in a built up area, contributing to the Council's housing supply in a sustainable location. The development will have a modern but simple design that is not harmful to the street scene or out of keeping with the character of the area.
- 7.2 Whilst the development may result in some impact on the flats to the north west of the site, it is considered that the impact would not be unacceptable and the positive impacts of the development notably the use of a brownfield site to increase the Council's housing supply, on balance outweigh any potential harm.

8 Conclusion

- 8.1 To conclude, it is considered that the proposal has been designed to a satisfactory standard that responds well to the street scene and the character of the surrounding area. It is therefore considered that the scheme is acceptable and planning permission should be granted.

<p><u>Recommendation</u></p> <p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><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></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the drawings numbered ST-347/02 revision B (1:100), ST-347/03 revision C (1:100), ST-347/01 revision B (1:200, 1:100); received by the Local Planning Authority on 18 September and 23 October 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No part of the development hereby permitted shall be brought into use until the dropped vehicular footway and parking spaces as shown on drawing ST-347/02 Rev B, are available for use and constructed in accordance with the Highway Authority specification.</p> <p><i>Reason: In the interests of Highway safety.</i></p>
4.	<p>No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material and with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning areas to the public highway. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development.</p> <p><i>Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.) and to ensure surface water from the site is not deposited on the public highway causing dangers to road users.</i></p>
5.	<p>No part of the development hereby permitted shall be brought into use until the boundary wall and fence on the north west boundary of the site is erected in accordance with the details on drawing no. ST-347/01 revision B.</p> <p><i>Reason: To protect the amenity of the neighbouring residents and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
6.	<p>The development hereby permitted shall not be first occupied until details of the bin store have been submitted to and approved in</p>

	<p>writing by the Local Planning Authority. The bin store shall then be erected in accordance with these details.</p> <p><i>Reason: To ensure a satisfactory standard of appearance and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
7.	<p>The windows above ground floor level in the north west elevation of the development hereby permitted shall be obscurely glazed to Pilkington level 4 or 5 and retained as such for the lifetime of the development.</p> <p><i>Reason: In the interest of protecting the amenity of the residents in the neighbouring properties and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
8.	<p>No above ground works shall take place until details including the colour and manufacturer of the brick and render have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with these details.</p> <p><i>Reason: To ensure a satisfactory standard of appearance and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the eight agreed determination timescale.</p>
2.	<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: www.gov.uk/government/organisations/the-coal-authority</p>
3.	<p>The development makes it necessary to construct a vehicular crossing over a footway of the public highway. You are therefore required to contact the County Council's Highways Area Office tel. 0300 500 80 80 to arrange for these works to be carried out.</p>



Legend

 Site

Photographs



Application site from Nottingham Road.



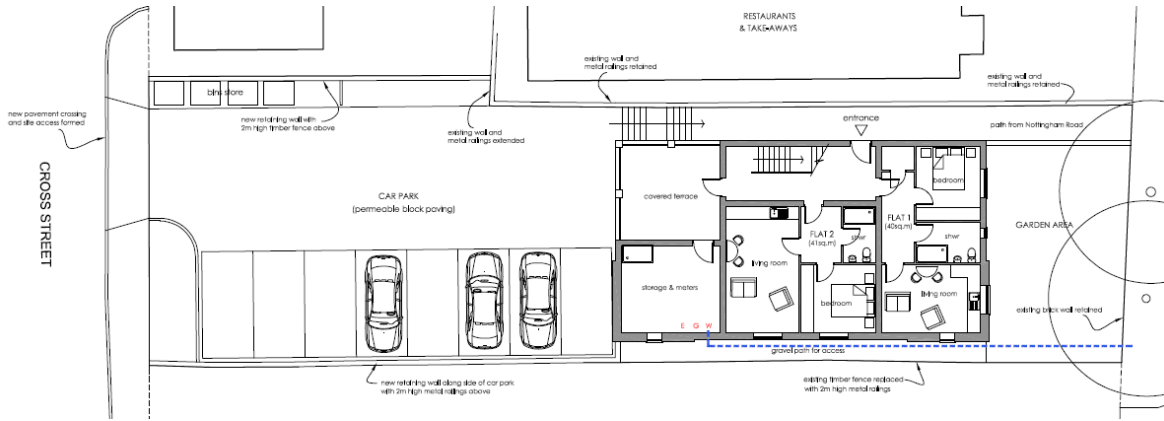
Application site from Nottingham Road.



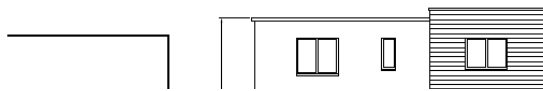
Application site from Cross Street.



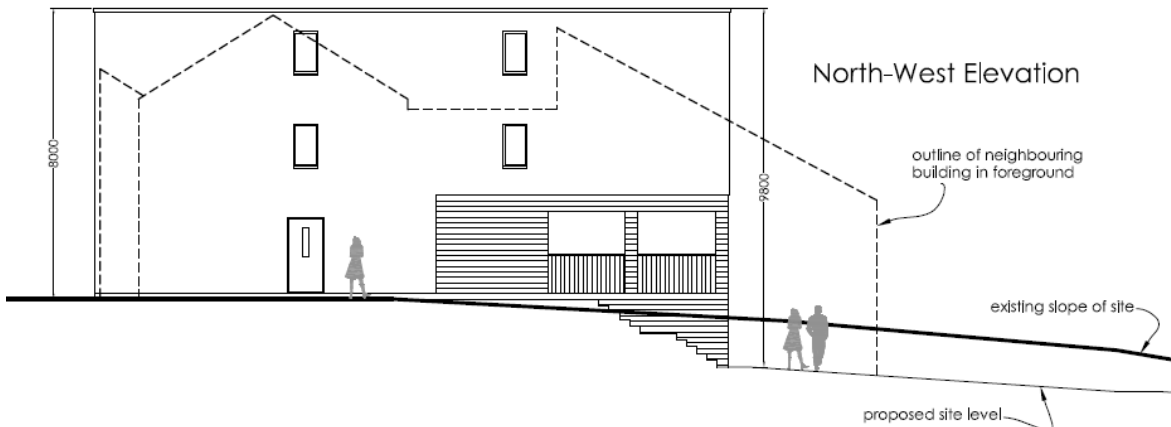
Application site from Cross Street.

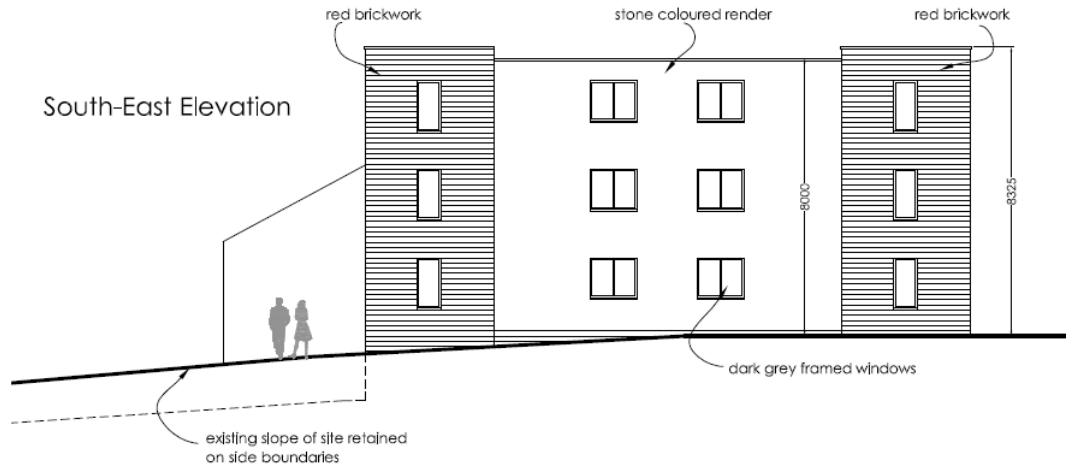


South-West Elevation



North-West Elevation





Proposed Side Elevation