

Report of the Chief Executive

APPLICATION NUMBER:	19/00808/FUL
LOCATION:	147 - 151 QUEENS ROAD, BEESTON, NOTTINGHAMSHIRE, NG9 2FE
PROPOSAL:	CONSTRUCT 9 ONE BEDROOM APARTMENTS (REVISED SCHEME)

1 Executive Summary

- 1.1 This application was deferred at the Planning Committee on 12 February 2020 due to a request to obtain the comments of the Highway Authority. They have been consulted and raise no objections with the details in appendix 1. The 12 February 2020 report is attached as appendix 2, with a recommendation for approval.
- 1.2 The application is brought back to Planning Committee with no additional changes to the plans.
- 1.3 A failure to determine this application at this committee or to refuse permission will almost certainly result in an appeal to the Secretary of State and a likely award of costs.
- 1.4 With regard to a policy in determining the application the National Planning Practice Guidance (NPPG) gives advice on the types of behaviour that may give rise to a substantive award (of costs) against the Local Planning Authority. This includes:

‘Preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.’
- 1.5 With regard to the possibility of refusing the application the same guidance states the following may also give rise to a substantive costs award.

‘Persisting in objection to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable.’
- 1.7 The Committee is therefore asked to resolve that planning permission be granted subject to the conditions outlined in appendix 1.

APPENDIX 1**1 Details of the Application**

- 1.1 The Highways Authority have been consulted on this application and have raised no objection. There is no evidence to demonstrate there would be a highway safety issue as a result of approving this application.
- 1.2 The Inspector concluded on the appeal decision for 18/00516/FUL that the site is in an accessible location which would discourage the use of the private car and as the apartments would be likely occupied by 1-2 people, it would not generate a significant parking requirement. The Inspector concluded that the development would not lead to a rise in nuisance or dangerous parking in the area and a sufficient amount of parking had been provided. The Inspector stated the following, *“I conclude that the development would not significantly contribute to on street parking stress. It would therefore accord with the relevant sections of Policy 17 of the Broxtowe Part 2 Local Plan (2019), which requires that new development provides sufficient parking.”* As this application is for one less apartment than the previous scheme with the same amount of parking, it is difficult to see how a reason for refusal based on insufficient parking could be substantiated.
- 1.3 To conclude with regard to highway and parking issues, it is the opinion of the Highways Authority, the Inspector and the Planning Officers, that the scheme is acceptable on highway safety and parking grounds.

2. Other

- 2.1 Two letters of objection were received as late items which can be summarised as follows:
- the building is high and will make the rooms in the neighbouring property dark and overlooked,
 - the building will create a long dark alley and maintenance/access will not be possible due to insufficient space to erect scaffolding; and
 - insufficient parking.
- 2.2 These comments have been addressed in the original committee report in appendix 2.

3. Conclusion

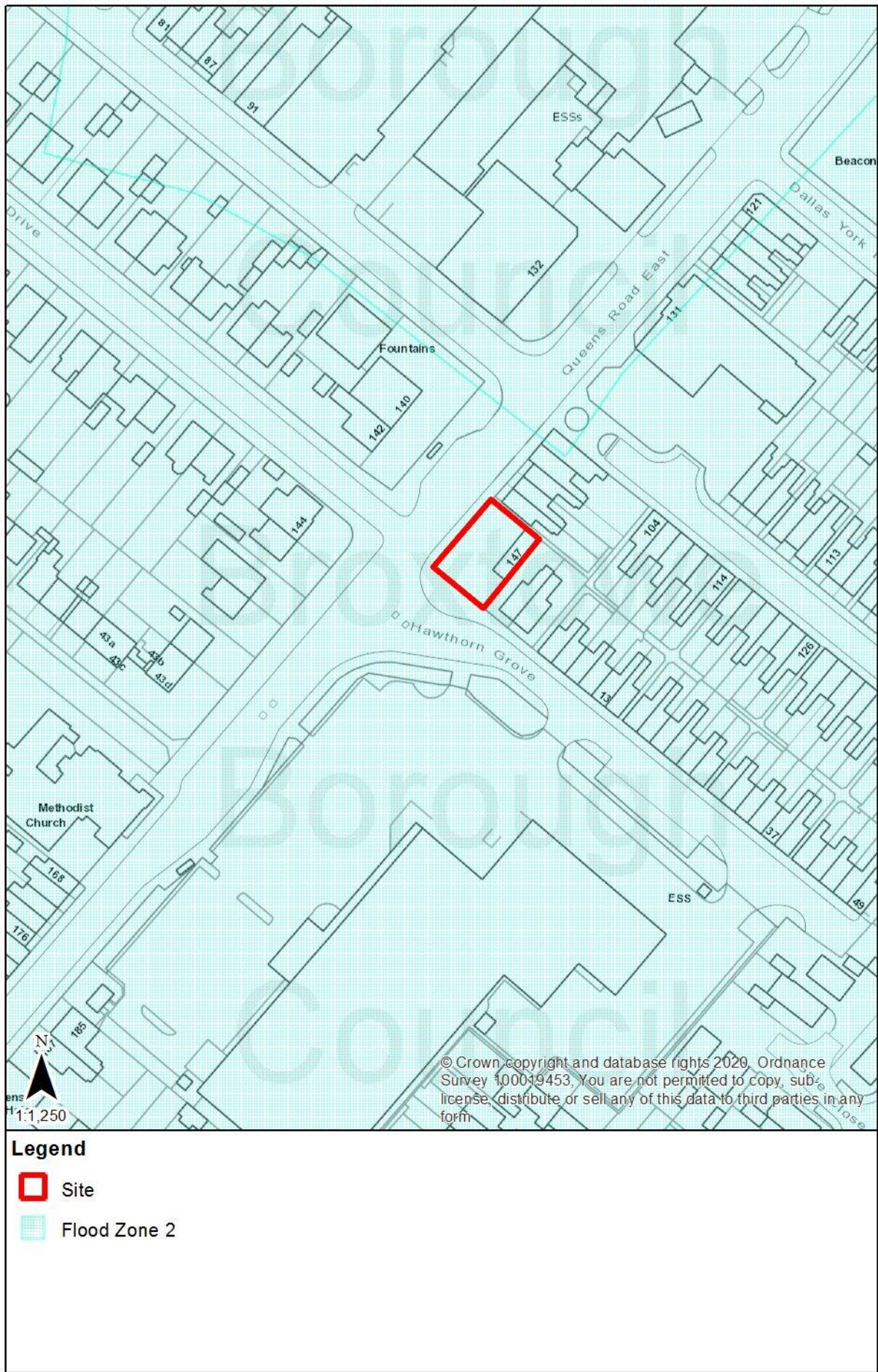
- 3.1 To conclude on other matters, the Inspector outlined in the appeal decision for 18/00516/FUL that the sole reason for dismissing the appeal was due to the insufficient internal floor space for each flat which would have led to a poor standard of amenity for future occupants. This issue has been addressed within this application with each flat now meeting the minimum space requirement as set out in the Government's Technical Housing Standards. Any refusal based on amenity, design, size or scale of the building as with parking could incur costs

being awarded against the Council (should a costs appeal be submitted if the application is refused). It is considered the proposed apartments are of an acceptable size, scale and design, that there will not be an adverse effect on neighbour amenity and an acceptable standard of amenity for future occupants of the apartments will be provided.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
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 drawing numbers: 005 Rev L, 002 Rev U and 004 Rev S received by the Local Planning Authority on 20 December 2019 and 003 Rev O and 006 Rev T received by the Local Planning Authority on 23 January 2020.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.</p> <p><i>Reason: No such details were submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> a. numbers, types, sizes and positions of proposed trees and shrubs b. details of boundary treatments; c. proposed hard surfacing treatment and d. planting, seeding/turfing of other soft landscape areas. <p>The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the</p>

	<p>first planting season following the substantial completion of the development 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.</p> <p><i>Reason: No such details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).</i></p>
5.	<p>Prior to the first occupation of the apartments hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment prepared by SCC Consulting Engineer dated 18 December 2019. Flood resilient measures and design techniques shall be used as detailed in Section 6 and the finished floor levels shall be set no lower than 27.57m AOD. These mitigation measures shall be maintained and retained for the lifetime of the development.</p> <p><i>Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
6.	<p>The building hereby approved shall be constructed to include the noise mitigation measures as detailed within section 4 of the noise assessment report ref: 12581.02.v1 dated December 2019. Confirmation of the installation of these measures shall be submitted to and approved in writing by the Local Planning Authority, prior to occupation of the development.</p> <p><i>Reason: To protect future occupiers from excessive environmental noise and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>
7.	<p>The windows in the north east elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and fixed shut and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).</i></p>
8.	<p>The first floor window in the south east elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning</p>

	<p>Authority) with any opening elements 1.7m above the finished floor level.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).</i></p>
9.	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
	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 prospective building manager/occupants should register to receive flood warnings.
3.	Wheel washing facilities should be installed on site in order to prevent mud being deposited on the road from construction vehicles.
4.	The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.
5.	The applicant is advised to contact Severn Trent Water on tel: 0800 707 6600 prior to development commencing.



Photographs



View of site facing east



View of north west boundary and side elevation of no. 1 Hawthorn Grove on right and side elevation of no. 145 on left



View of south west site boundary with side elevation of no. 145 Queens Road in centre and no. 1 Hawthorn Grove on right



Pathway beyond north east site boundary

Photographs

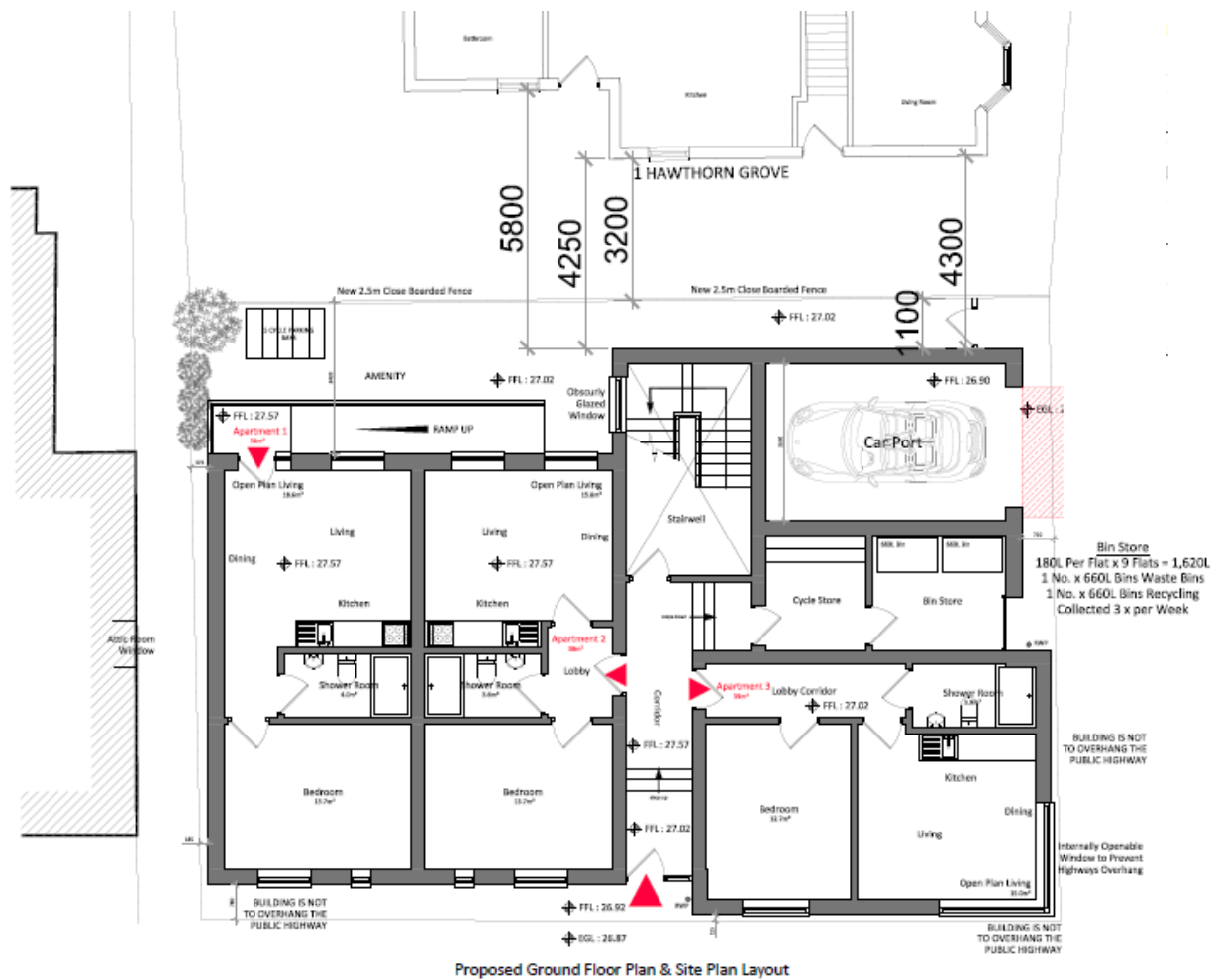


View of site from rear garden of no. 3 Hawthorn Grove



Hawthorn Grove facing southeast

Plans (not to scale)



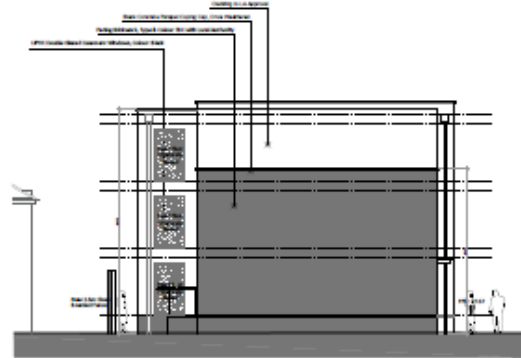
Plans (not to scale)



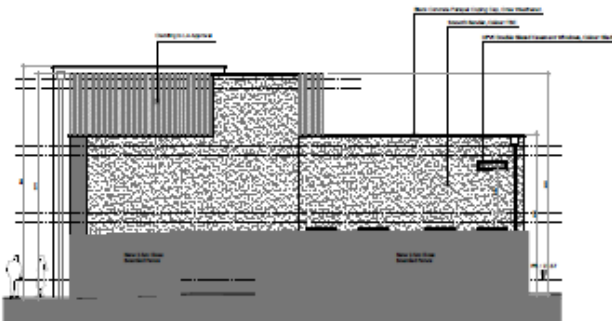
Proposed Front Street Scene Elevation (Queens Road)



Proposed Side Street Scene Elevation (Hawthorn Grove)



Proposed Side Elevation



Proposed Rear Elevation

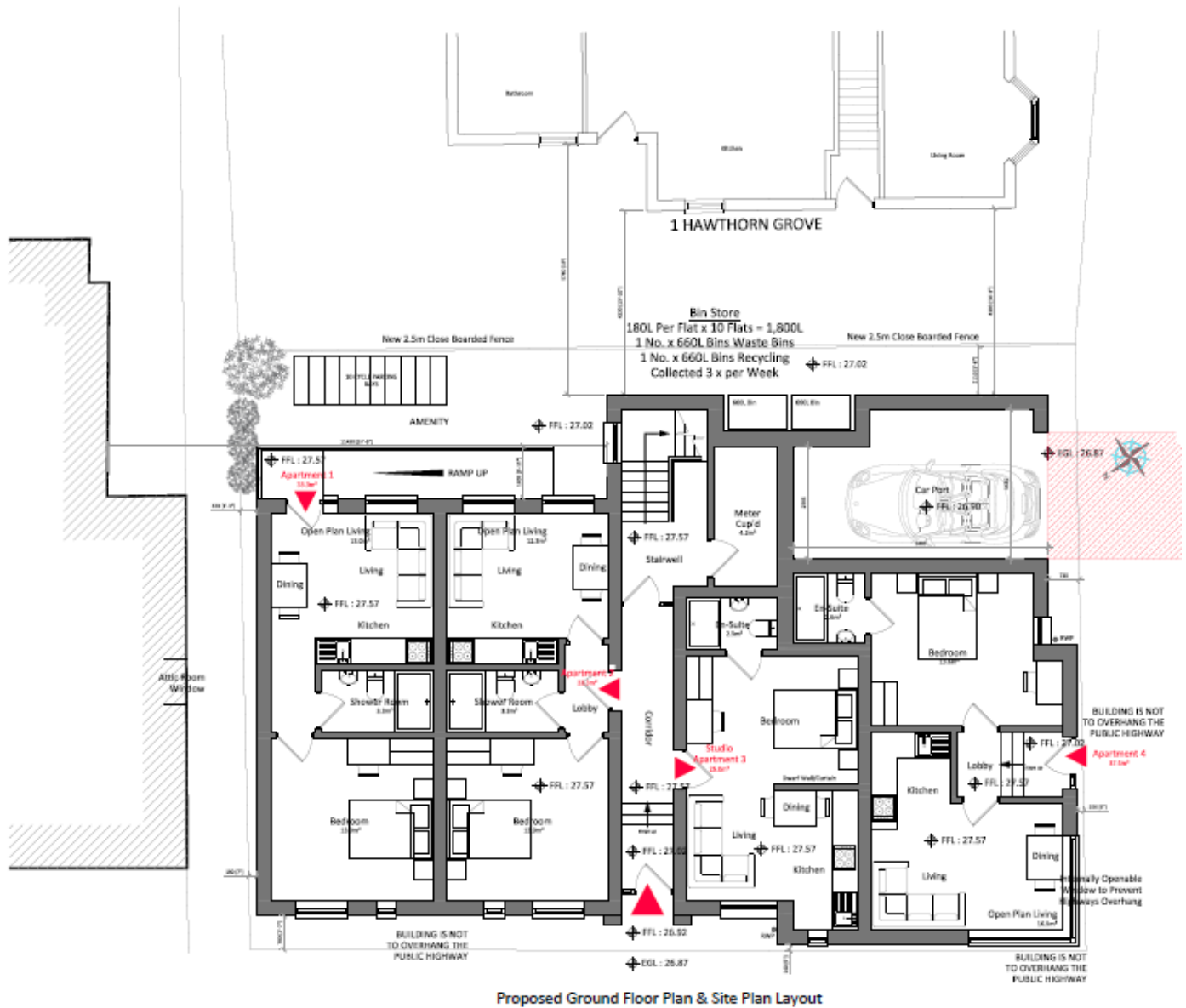


Proposed Site Block Plan 1:500



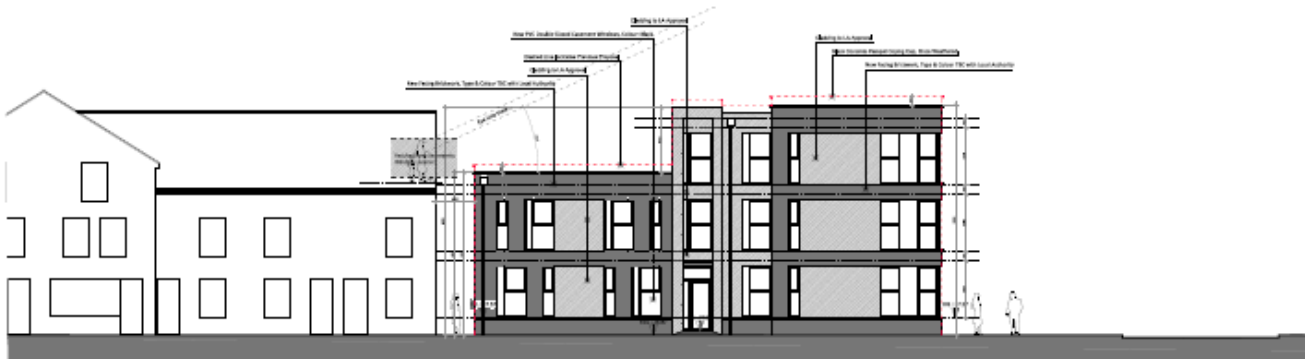
Proposed Site Location Plan 1:1250

Previous refused application 18/00516/FUL – 10 apartments



Plans (not to scale)

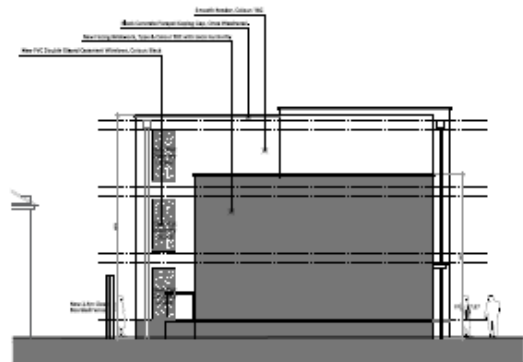
Previous refused application 18/00516/FUL – 10 apartments



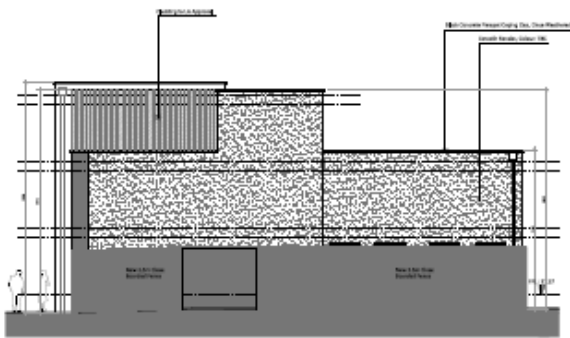
Proposed Front Street Scene Elevation (Queens Road)



Proposed Side Street Scene Elevation (Hawthorn Grove)



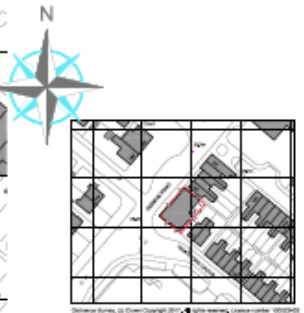
Proposed Side Elevation



Proposed Rear Elevation



Proposed Site Block Plan 1:500



Proposed Site Location Plan 1:1250