

Report of the Chief Executive

APPLICATION NUMBER:	19/00799/FUL
LOCATION:	1 QUEENS ROAD EAST, BEESTON, NOTTINGHAMSHIRE, NG9 2GN
PROPOSAL:	CONSTRUCTION OF STUDENT ACCOMMODATION BUILDING (PROVIDING 32 BEDROOMS) FOLLOWING DEMOLITION OF A BUNGALOW AND SINGLE STOREY EXTENSION (AT 3 QUEENS ROAD EAST) (REVISED SCHEME)

This application has been called in to Committee by Councillor D K Watts.

1 Executive Summary

- 1.1 Planning permission was granted by Committee in October 2019 to construct a 28-bedroom apartment block (app ref 19/00297/FUL). This application is a revised scheme of this proposal, with the main amendment being the increase in the number of bedrooms to 32. The principle of the development is therefore considered acceptable with the main considerations being any additional impact on neighbouring amenity of the 4 additional bedrooms and the design and appearance of the amended proposal.
- 1.2 Limited external alterations are proposed and the building will appear largely as previously approved from the public realm. It is therefore considered that the design of the proposal is acceptable.
- 1.3 It is considered that the additional 4 bedrooms will not result in any significant additional impact on the amenity of neighbouring properties. The internal layout of the proposal has been amended to provide 4 x 6 bedroom apartments and 1 x 8 bedroom apartments, replacing the 10 x studio apartments previously approved. It is considered that the revised internal layout will result in less potential for noise pollution with a lower number of individual households occupying the site. The revised layout is also considered to provide an improved level of amenity for the future occupiers of the development.
- 1.4 The proposal includes provision for 10 parking spaces, one more than the previously approved scheme. This exceeds the number of parking spaces as required by the Highways Authority and the additional space is considered to be sufficient to address the additional 4 bedrooms proposed.
- 1.5 Taking into account the relatively limited external alterations to the scheme, no additional concerns are raised regarding flood risk or impact on the natural environment.
- 1.6 It is therefore recommended planning permission is granted in accordance with the resolution contained within the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application is a revised scheme of planning application 19/00297/FUL, which was granted permission by the Planning Committee at the meeting on Tuesday 8th October. The approved application was for a development comprising 28 bedrooms, with the accommodation being made up of 3 x 6 bedroom apartments and 10 x studio apartments. The approved scheme provides 9 parking spaces.
- 1.2 The main change to the proposal for the revised scheme is that it will provide 32 bedrooms, with the accommodation being made up of 4 x 6 bedroom apartments and 1 x 8 bedroom apartment. The proposed scheme also provides an additional parking space, with the total number proposed being 10.
- 1.3 The external alterations to the approved building will be minimal with the size, scale and design of the building remaining largely the same. The balconies to the upper floors have been removed, with Juliet balconies proposed on the first floor and third floor, servicing apartments 1 and 2. The location of the entrance to apartment 5 has been revised, now being on the front elevation, and the height of apartment 5 has been reduced by 0.5m. The position of the bin store has also been altered slightly to move it away from No. 3 Queens Road and allow for the additional parking space.

2 Site and surroundings

- 2.1 1 Queens Road East was formerly a detached residential dwelling that was derelict due to damage caused by a fire. This dwelling has now been demolished with building works having commenced in accordance with planning permission 19/00297/FUL. The site is located at the end of a cul-de-sac and accessed via a slip road off Tattershall Drive which runs parallel to Queens Road East.
- 2.2 To the south of the site is a row of detached, 2 storey residential dwellings with Serina Court, a 3 storey apartment block, being positioned on the corner of Tattershall Drive. The University of Nottingham sports ground is situated to the north and east of the site, with Queens Road East adjoining the west boundary. The west side of Queens Road East is largely characterised by two storey semi-detached dwellings. The west boundary of the site is currently made up of a low level wall with conifer trees, with mature trees and vegetation making up the north and east boundaries.
- 2.3 The application site is located to the north east of the main built up area of Beeston, with the University of Nottingham being located directly to the north of the site. The University Boulevard tram stop is to the north of the site, providing access to the centre of Beeston as well as the University campus and Nottingham city centre.

3 Relevant Planning History

3.1 In January 2019, planning permission 18/00571/FUL was granted to construct a new residential dwelling at No. 3 Queens Road East. The dwelling would adjoin the north side elevation of the existing dwelling at No. 3, essentially making it a pair of semi-detached dwellings. This planning application covers the area of land required to construct this additional dwelling. Development has now commenced on the originally approved scheme for these apartments and therefore the new dwelling will no longer be able to be developed as any attempt to do so would conflict with the planning permission for the apartment block.

3.2 In October 2019 planning permission 19/00297/FUL was granted to construct a student accommodation building providing 28 bedrooms.

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

4.2 **Broxtowe Part 2 Local Plan 2019**

- Policy 1: Flood Risk
- Policy 15: Housing size, mix and choice
- Policy 17: Place-making, design and amenity

4.3 **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.
- Sections 14 – Meeting the challenge of climate change, flooding and coastal change

5 Consultations

5.1 **Lead Local Flood Authority (Nottinghamshire County Council):**

No objections raised.

5.2 **Environment Agency:**

Raises no objection subject to a condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment (HLEF68488/001R, RPS Consulting Services Ltd., dated May 2019) and in particular the following mitigation measures detailed within:

- Finished floor levels shall be set no lower than 27.25mAOD;
- Flood resilient construction measures shall be incorporated throughout the development to a minimum height of 27.61mAOD.

5.3 Council's Tree Officer:

No comments received. Comments to planning permission 19/00297/FUL were as follows:

Raises no objection to the proposal, the trees to the rear belong to Nottingham University which is outside of the Broxtowe Borough Council boundary.

5.4 Nottingham City Council Tree Officer:

No comments received. Comments to planning permission 19/00297/FUL were as follows:

Advises that if planning permission is given then conditions should be applied requiring a site specific method statement in respect of the protection of the trees to the rear of the proposal during construction work. A plan should be produced showing the retained tree's Root Protection Areas in respect of the new building, hard surfaces etc. and mitigating data provided, where necessary. A tree protection plan should also be required describing where the tree protection measures will be sited in the context of the new structures and the trees. Site specific detail of what pruning works might be necessary to facilitate the development.

Reports, surveys and plans submitted in fulfilment of planning conditions should be carried out to the standards set out in the BS5837 and submitted to and approved by the LPA in writing.

5.5 Private Sector Housing Officer:

The proposed apartments should meet the minimum space standards.

5.6 Highway Authority:

Raises no objections to the proposal subject to a number of conditions requiring the access to be widened prior to the first use of the site, the finishing of the parking bays and turning areas in a bound material and to prevent unregulated discharge onto the public highway, the construction of the cycle stores prior to first use of the development, the use of flush/pin kerb to clearly show the boundary of Highway land and the provision of the visibility splays for the pedestrian access.

5.7 NET:

The development is far enough away from the tramway to not need any comments from NET.

5.8 Nottingham University Hospital Trust:

Financial contribution of £12,423 sought to provide additional health care services to meet patient demand.

5.9 Council’s Environmental Health Officer:

Has no objections to planning approval being granted subject to conditions relating to noise mitigation measures.

5.10 Severn Trent Water

No objection subject to condition relating to the submission of and approval of drainage plans for the disposal of surface water and foul sewage.

5.11 38 properties either adjoining or opposite the site or who provided comments on the previous application were consulted and a site notice was displayed at the site on 9 January 2020. 7 letters of objection have been received in respect of this application. The reasons stated for the objections can be summarised as follows:

- The scheme has totally changed from the previous application.
- Design not in keeping with the area.
 - Over intensive development on the site.
 - Height of the development is out of keeping with the other properties on the road.
- Unbalanced mix of residents in the area – too many students.
- Noise pollution created by daily activities of students.
- Insufficient parking for the development.
- Increased traffic generation – negative impact on cycle and pedestrian routes.
- Loss of privacy for neighbouring residents.
- Loss of trees and hedgerows.

6 Assessment

6.1 Planning permission 19/00297/FUL has already been granted for the development of a student accommodation block in this location, and therefore the principle of the development is considered acceptable. The main issues for consideration with this application are the impact of the additional bed spaces on neighbouring amenity and the amenity of the future occupiers of the development, impact on highway safety, and the design and appearance of the scheme taking into account the proposed external alterations.

6.2 Amenity

6.2.1 The application site has no neighbouring properties immediately to the north or east of the site. The dwellings to the west of the site are set away from the boundary of the site by the intervening road, resulting in a separation distance of approximately 20m. This is considered sufficient to ensure that the proposal will not result in any unacceptable loss of amenity for the neighbouring properties to the west of the site.

- 6.2.2 The south side elevation of the proposed accommodation building will be approximately 13.4m from the south boundary of the site, adjoining No. 3 Queens Road East. The height of the proposed building is 13.01m, with the south block stepped down to 9.81m. The proposed building is at an oblique angle to No. 3, further increasing the separation between the properties to the rear of the site. It is considered that the separation distance from the proposed building to No. 3 is sufficient to ensure it will not result in an unacceptable loss of light or sense of enclosure for the residents at No. 3.
- 6.2.3 No windows are proposed on the principal south side elevation of the application building and therefore it is considered that it will not result in an unacceptable loss of privacy for the neighbouring property at No. 3 Queens Road East. The oblique angle of the proposed dwelling to the No. 3 will further reduce any potential overlooking from the openings on the rear elevation. Taking these factors into account it is considered that the proposal will not result in an unacceptable loss of amenity for the neighbouring residents to the south.
- 6.2.4 Objections have been raised on the grounds that student accommodation will result in a loss of amenity for neighbouring residents due to the amount of noise and levels of activity it will create. This matter was considered in the determination of the previous application and therefore the principle of the impact of students on the amenity of neighbouring properties is considered acceptable.
- 6.2.5 The addition of 4 bedrooms to the scheme is not considered to result in a significant further impact on neighbouring amenity than the previously approved scheme. The amended scheme has removed the 10 x studio apartments and instead has a total of 5 apartments. It is considered that the provision of only shared living spaces is less likely to attract people living independently of each other and may therefore reduce the potential for noise from the site. It is also considered that the provision of a reduced number of apartments will result in an improved standard of living for the future occupiers of the development, bringing additional safety and security measures that come from people sharing a common living space as opposed to living independently.
- 6.2.6 In regard to living standards for future occupiers, the apartments offer sufficiently spacious communal areas and adequately sized bedrooms that meet housing space standards and all of which have en suites. The bedrooms and living areas will have access to sufficient access to natural light and to outlooks that would provide a satisfactory living environment. The development incorporates access to outdoor amenity space immediately surrounding the building. Overall it is considered that the proposal will provide a satisfactory standard of amenity for the future occupiers of the properties.

6.3 Design and Appearance

- 6.3.1 The proposed design of the scheme differs very little from that which was previously approved. Steps providing access to Flat 5 have been moved from the south side elevation to the front and rear elevations and the balconies to the rear elevation have been removed, with Juliet balconies now proposed on the first and fourth floor, serving apartments 1 and 2. The height of the south block of the proposed development has also been reduced by 0.5m. It is considered that

these alterations to the proposed scheme are relatively minor and will not have a significant impact on the overall appearance of the building from the public realm.

6.3.2 The proposed building is of a contemporary design that is not harmful to the street scene or out of keeping with the character of the area. High quality materials that are in keeping with style of the development are proposed that will result in an acceptable overall standard of appearance being achieved.

6.4 Access

6.4.1 The proposal makes provision for 10 parking spaces, which is one more than the original scheme proposed. The Highways Officer has stated that parking requirements for HMOs require on site car parking to be provided at a ratio of 1 space per 6 to 8 beds. The proposed number of spaces therefore exceeds the requirement, and it is considered the additional space provided for the 4 additional bedrooms sufficiently addresses any additional potential demand for the revised scheme.

6.5 Trees and Hedgerows

6.5.1 The alterations to the proposal as part of the revised scheme are not considered to have any further impact on trees and hedgerows in and around the site. The applicant is now proposing to remove some of the hedgerow along the west boundary adjoining Queens Road East to make space for the car parking spaces. The tree report provided by the applicant identifies this hedgerow as newly planted, and therefore it is not considered to have any significant value that could not be provided by replacement screening along this boundary in the future if required. It is therefore not considered this proposal will be harmful to the overall character of the area and the benefits of providing additional parking are considered to outweigh any potential harm. The applicant has provided a tree report which sets out required pre-development preparation works to protect the trees and specifications for hard surfacing and foundations to prevent damage to the trees. It will be conditioned that the works are carried out in accordance with the recommendations of this report to ensure the protection of these trees.

6.5.2 Overall it is considered that the proposal will not result in unacceptable harm to the trees within and bordering the application site.

6.6 Flood Risk

6.6.1 The application site is located within Flood Zone 3, whereby the annual probability of fluvial flooding is classified as greater than 1 in 100 in any given year in the absence of flood defences. In line with the NPPF, Section 14, any application for new development within Flood Zones 2 and 3 should be subject to a sequential test to determine if there are any other reasonable available sites of equivalent size in Flood Zone 1 where the probability of flooding is lower. The Flood Risk Assessment includes a table which identifies all the sites allocated for development in the SHLAA. It is accepted that none of the sites identified within a lower flood zone than the application site are suitable for the proposed development. The vast majority of the sites are not suitable as they would be too

small, a significant distance from the university or result in the underdevelopment of the site and therefore would be detrimental to meeting housing targets.

6.6.2 The Environment Agency requested that the finished floor levels of the original scheme be raised by 60mm to bring the development in line with the requirements for a development in a 1 in 100 year flood event zone. As part of the amended proposal the applicant has complied with this request. The Environment Agency has therefore recommended a condition be attached to any planning permission granted that the development be carried out in accordance with the Flood Risk Assessment provided.

6.6.3 Subject to compliance with this proposed condition it is considered that the proposal will be acceptable in terms of flood risk.

6.7 Financial Contributions

6.7.1 The Nottingham University Hospital Trust has requested a financial contribution of £12,423 to provide additional healthcare services to meet additional patient demand as a result of this development. Due to the size of the development financial contributions by way of Section 106 agreements are not required and would not be policy compliant. The development is not a major application and therefore the applicant is not required to make these payments.

7 Planning Balance

7.1 The proposal will increase the number of bedrooms approved on the site from 28 to 32. However, this is below the number of bedrooms originally applied for under planning application 19/00297/FUL, which was 36. It is considered the additional 4 bedrooms proposed will not result in a significant additional impact on neighbouring amenity, and the addition of 1 parking spaces is sufficient to address the increase in bedrooms. It is also considered that the change in layout of the internal accommodation, removing the 10 studios and instead having 5 apartments with shared living spaces will improve the amenity for the future occupiers of the development, and reduce the potential for couples to occupy the bedrooms.

7.2 On balance it is therefore considered that the proposal is acceptable.

8 Conclusion

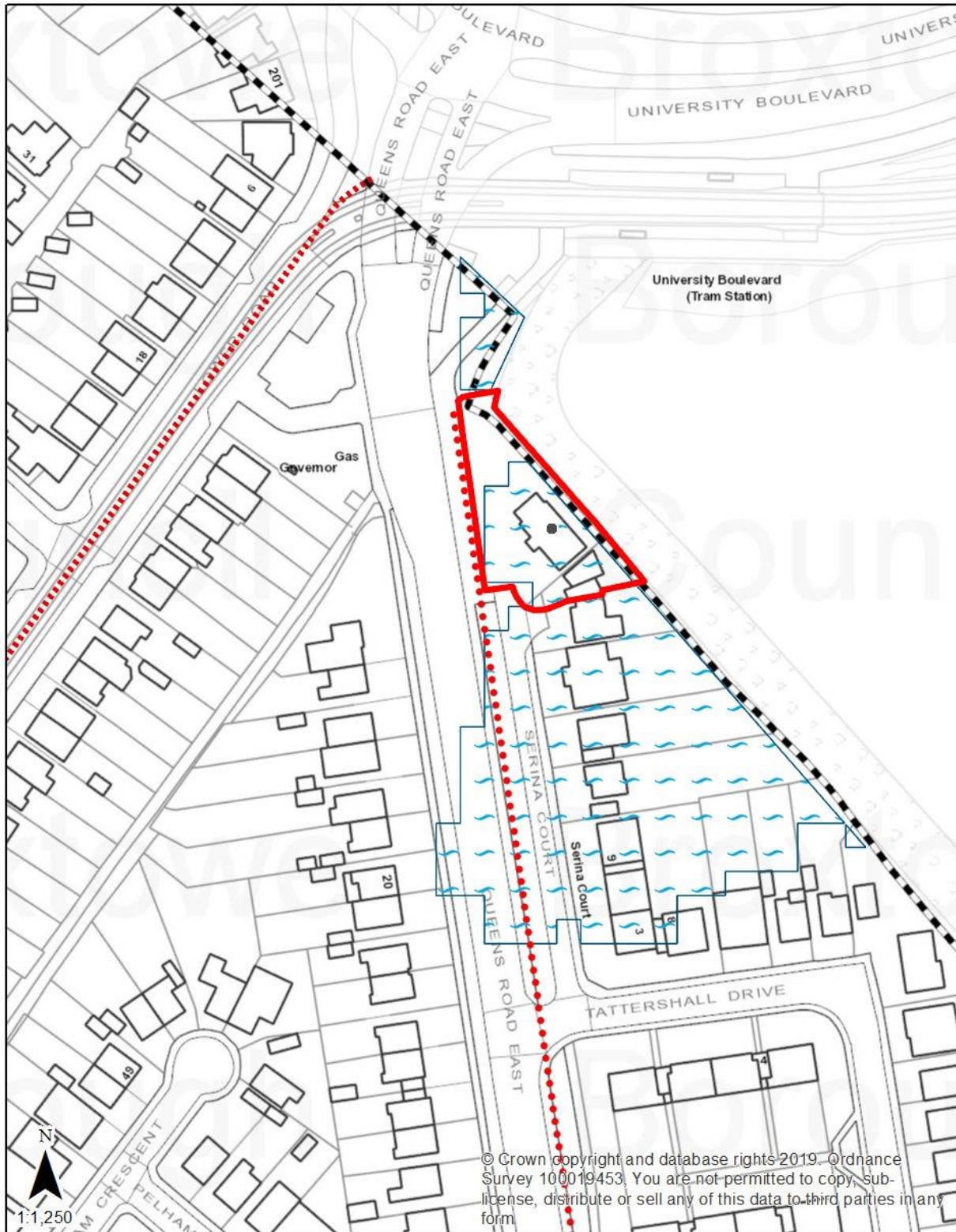
8.1 To conclude it is considered that the proposal has been designed to a satisfactory standard and will not result in an unacceptable impact on neighbouring amenity as a result in the increase in number of bedrooms provided. It is therefore considered that planning permission should be granted.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
2.	<p>The development hereby permitted shall be carried out in accordance with the drawings numbered DL/446/303 Rev A, DL/446/306 Rev H, DL/446/307 Rev H, DL/446/308 Rev F, DL/446/309 Rev G, DL/446/310 Rev C, DL/446/315 Rev B, DL/446/316 Rev A, DL/446/321 Rev A, DL/446/322, DL/446/323; received by the Local Planning Authority on 17 and 19 December 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development hereby approved shall be carried out using Michelmersh 65mm Clayburn Civic and Michelmersh Black Smooth Facing brickwork, Parexal Yellow Ochre monocouche render, black uPVC windows, curtain wall and glazed doors, black powder-coated balustrades.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance in accordance with Broxtowe Part 2 Local Plan (2019) Policy 17 and Broxtowe Aligned Core Strategy Policy (2014) Policy 10.</i></p>
4.	<p>The development permitted shall be carried out in accordance with the submitted Flood Risk Assessment (RPS Consulting Services Ltd., dated May 2019) and in particular the following mitigation measures detailed within:</p> <ul style="list-style-type: none"> • Finished floor levels shall be set no lower than 27.31mAOD; • Flood resilient construction measures shall be incorporated throughout the development to a minimum height of 27.61mAOD. <p>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.</p> <p><i>Reason: To reduce the risk of flooding to the proposed development and future occupants.</i></p>
5.	<p>Deliveries and collections by commercial vehicles shall only be made to or from the site between 07.30-18.00 Monday to Saturday and at no time on Sundays, Bank Holidays and any other public holidays without the prior agreements in writing of the Local Planning Authority.</p> <p><i>Reason: to protect the residents from excessive operational noise.</i></p>
6.	<p>No part of the development hereby permitted shall be brought into</p>





	<p>use until the access has been widened and the dropped vehicular footway crossing has been amended and is available for use and constructed in accordance with the Highway Authority specification.</p> <p><i>Reason: In the interests of Highway safety.</i></p>
7.	<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 with the parking bays clearly delineated in accordance with drawing number DL/446/306 Rev H. The parking, turning and servicing 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, turning and loading and unloading of vehicles.</p> <p><i>Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.</i></p>
8.	<p>No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning areas are constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.</p> <p><i>Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users.</i></p>
9.	<p>No part of the development hereby permitted shall be brought into use until the cycle parking has been constructed and is available for use in accordance with drawing number DL/446/306 Rev H.</p> <p><i>Reason: To ensure that adequate cycle parking provision is available.</i></p>
10.	<p>No part of the development hereby permitted shall be brought into use until the area between the adopted highway and the applicants own land is delineated with flush kerb/pin kerb in accordance with drawing number DL/446/306 Rev H.</p> <p><i>Reason: To ensure that highway and applicants land is clearly defined.</i></p>
11.	<p>No part of the development hereby permitted shall be brought into use until the carriageway has been widened at the access entrance to Tattershall Drive in accordance with drawing number F19075/03 Rev B and the footway on Queens Drive/pedestrian access has</p>

	<p>had the corduroy paving constructed in accordance with drawing number F19075/04 Rev A.</p> <p><i>Reason: In the interests of general Highway safety.</i></p>
12.	<p>The development hereby permitted shall be carried out in accordance with the details submitted in Sections 2, 4 and 5 of the Arboricultural Method Statement (document reference 0291/AB); received by the Local Planning Authority on 17 December 2019.</p>
13.	<p>The development hereby permitted shall carried out in accordance with the Drainage Plan (drawing number MA11113-200); received by the Local Planning Authority on 14 January 2020.</p> <p><i>Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.</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 agreed determination timescale.</p>
2.	<p>Noisy works should be limited to between 08.00 and 18.00 hours Mondays to Fridays, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays, Bank Holidays and any other public holidays. There should also be no bonfires on site at any time.</p>
3.	<p>It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring</p>
4.	<p>In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact Highways Development Control Team within Nottinghamshire County Council for more information.</p> <p>The development makes it necessary to widen/construct/improve the vehicular crossing over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities</p>

6.	Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.
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Legend

-  Site
-  Safeguarded Tram Route
-  Millennium Cycle Route
-  Area of 'high' flood risk (Local Plan)

Photographs



Application site from Queens Road East.



Application site from junction of Queens Road East and University Boulevard.



Access to application site.



Application site looking towards No. 3 Queens Road East.

Plans (not to scale)

Site Layout Plan



Site Layout

Proposed Front Elevation



Proposed Front Elevation



North Side Elevation



South Side Elevation

