

Report of the Chief Executive

APPLICATION NUMBER:	19/00816/REM
LOCATION:	LAND SOUTH EAST OF B & M, STYRING STREET & STATION ROAD, BEESTON
PROPOSAL:	CONSTRUCT 132 APARTMENTS (CLASS C3) AND FLEXIBLE USE COMMERCIAL UNIT (RETAIL / FINANCIAL AND PROFESSIONAL SERVICES / RESTAURANT /BAR / TAKEAWAY / ASSEMBLY AND LEISURE - CLASSES A1- A5 AND D2) WITH CAR PARKING AND LANDSCAPING (RESERVED MATTERS RELATING TO PLANNING PERMISSION REFERENCE 18/00360/FUL)

1 Background

1.1 The item was due to be considered by a virtual Planning Committee on 22 April 2020 but this meeting was deferred following technical issues. The application was then deferred from the meeting on 4 May 2020 to enable further discussions with the applicant about the access position and design issues. The 4 May report is attached as an appendix to this report.

2 Additional information/consultations

2.1 Following the publication of the 22 April report, the applicant’s highway consultant submitted a response to the objection from County Highways, summarised as follows:

- Only 2 additional parking spaces proposed compared to number of spaces in existing car park on site
- Access proposed is only circa 20m closer to the Middle Street/Station Road junction than existing car park access
- Visibility splays are within the required standards
- Net proposed increase in evening peak of circa 11 two-way trips - existing car park generates approximately 30 two-way trips in both morning and evening peak hours, with high turnover of cars throughout day due to provision of one hour free parking. Proposed development would generate 30 two-way trips in the morning peak and 41 two-way trips in the evening peak and likely net reduction in movements during off peak periods of day.
- Access will operate in same way as existing car park access with similar traffic generation but with likely reduction during day, reducing likelihood of conflicting movements.
- Assessment of Personal Injury Accident (PIA) records at existing car park access found that in last five years, there have been two ‘slight injury’ PIAs on the west arm of the junction, neither involved vehicles turning into or out of the existing access.
- Vehicles travel along Station Road at low speed because are either approaching or have just negotiated Middle Street/Station Road junction

- Proposed access cannot be located elsewhere due to level difference and tram tracks – access provided centrally between Middle Street/Station Road junction and pedestrian crossing on Station Road
 - Providing no parking on site as suggested by County could cause highway safety/inconvenience issues
 - Servicing the site by exiting onto Styring Street as suggested by County is unviable due to the level differences and interaction with the tram
 - Service bays have been accepted beside the cinema development and Birds (to north west on Station Road)
 - Loading restrictions can be used to limit use of proposed lay-by
 - Provision of internal servicing was considered but discounted as it would severely compromise the ground floor layout and car parking provision
 - Refuse collection will be undertaken by a commercial operator and accordingly, servicing hours can be agreed/contracted to be outside the peak hours.
- 2.2 Nottinghamshire County Council as Highway Authority disagree with the highway consultant's report conclusions and maintain their objection to scheme. Following the 4 May meeting, the Highway Authority have confirmed that they would only remove their objection to the scheme if no car parking was proposed on site (as the access would not be required).
- 2.3 Nottinghamshire County Council as Lead Local Flood Authority (LLFA) requested a surface water drainage condition be included. This is not proposed to be included as drainage details were submitted at the time application reference 18/00360/FUL was considered and the LLFA raised no objection to the information submitted at that time so no drainage condition was necessary.
- 2.4 The Force Designing out Crime Officer, Nottinghamshire Police submitted comments about the development which the agent responded to with further details about proposed security measures. Following receipt of this additional information and discussion with the agent, the Force Designing out Crime Officer has no objection to the proposal as the building will be managed by a single landlord. A note to applicant will be used advising that contact should be made with the police for further guidance about the security specification for the development.
- 2.5 Beeston & District Civic Society sent comments to all members of the Planning Committee objecting to the development for the following summarised reasons:
- Welcome the attempt to break down the overall mass of the proposed development with different sized blocks and to provide town centre residential accommodation. However, scheme fails overall in design terms and does not integrate with its surroundings.
 - Fails to reflect or take inspiration from any neighbouring buildings other than the future cinema so is aggressively monolithic.
 - Flat and monotonous rectangular facades lacking visual interest.
 - The proposed metal bolt on balconies do not enhance the design nor ensure a good level of privacy, usable space or amenity for occupants.
 - The block facing Station Road will be higher and longer than the Anglo Scotian Mills on Wollaton Rd but without any attempt made to ameliorate its

visual dominance and impact on the street scene or to express human scale at ground level.

- The verticality and height could be minimised e.g. by horizontal detailing, setting elements of the building forwards or backwards, incorporating curves, or brickwork detailing to add shadow and depth.
- The upper floors of the Station Rd block should be set back to lessen the visual impact of height.
- The proposed design makes no attempt to provide an attractive active frontage to Station Road and misses an opportunity to design a residents' entrance which would establish a strong residential identity which could contribute positively to the street scene.
- Question whether this proposal for residential accommodation so close to the town centre should be seen as standalone - it should be seen as integral to all of its surroundings as a whole.
- Wasted opportunity to create a sympathetically designed and impressive "gateway building" at the Middle Street junction
- The tallest block will be a dominant feature on the skyline from both the adjacent conservation areas and many other parts of Beeston.
- Will create a micro climate - wind tunnel and down draught effect at street level
- Will overshadow the proposed public realm between the Interchange and Station Rd for large parts of the day.
- No affordable housing proposed
- Bin collection arrangements are a concern
- Question impact of providing only 50 car parking spaces for 132 flats
- Minimal landscaping provided on Styring Street and Middle Street
- Lack of privacy and light for some residents
- A better, more sympathetic design should be sought.

3. Assessment

3.1 **Highways**

3.1.1 Members raised concern that the County Council as highway authority had raised highway safety issues with the proposed access position on Station Road. The applicant has submitted a statement confirming that this is the only position the access can be located. Styring Street cannot be used because of the location of the tram stop and level differences, Middle Street cannot be used because of the location of the tram tracks, land to the north west of the site cannot be used because this is the location of the public realm between this development and the cinema building (having an access through here would severely compromise the provision of the public realm) and the access cannot be located elsewhere on Station Road because of the need to achieve an acceptable overall design to the building in terms of providing an attractive and human scale relatable development at the Middle Street/Station Road junction and providing an active frontage to the public realm/Station Road corner of the building. The location of the existing substation also restricts where the access can be located. The access has been located as far away from the Middle Street/Station Road junction as possible. The only position for the proposed access is as shown on the submitted plans.

- 3.1.2 At the time the outline application (18/00360/FUL) was considered, the only realistic access position was on Station Road. The County Council as highway authority raised some concerns about the indicative access position at outline stage but they did not object or advise that having an access on Station Road was unacceptable.
- 3.1.3 The proposed car park will only have two more spaces than the existing car park on site and there will be less vehicle movements throughout the day (off peak hours) as a result of the proposed development (albeit a nominal net increase overall). Station Road is straight at the access point, providing good visibility to the north west and south east, albeit larger vehicles using the service lay by could restrict visibility but an additional condition (8) is proposed that restricts use of the lay-by by refuse vehicles to off peak hours only. In addition, the concern of NCC that drivers waiting to turn right into the site could be shunted from behind by another vehicle not expecting them to turn right into the car park but at the signal controlled junction, could occur now but no accidents have been recorded as a result. The speed of vehicles on Station Road will be low because of the signal controlled junction and pedestrian crossing but also because of the town centre location and associated activity.

3.2 Design

- 3.2.1 Members raised concerns about the design of the scheme in terms of the sustainability measures proposed, flat sizes and the late objection from the Police's Designing out Crime Officer. Condition 5 has been amended to give more certainty that environmental measures will be provided (within six months of first occupation of the building) and the applicant has set out that they are committed to providing environmental measures. 10 Electric Vehicle Charging points will also be provided.
- 3.2.2 A mixture of flat sizes has been provided, with all meeting the minimum standards and 90 per cent exceeding the minimum standards. Increasing the apartment sizes further would take the building beyond the massing parameters agreed at outline and affect the viability of the project through increased build costs.
- 3.2.3 The building will be secure and it is considered that security measures have been sufficiently integrated into the design of the building with secure doors, secure access arrangements for visitors, secure post arrangements and secure cycle storage. In addition, the Designing out Crime Officer now has no objection to the development.

3.3 Conclusion

- 3.3.1 There is no alternative access position. The benefits of the scheme (including provision of housing, commercial space and jobs and the redevelopment of a prominent vacant site in the town centre) are considered to outweigh the highway safety issue raised by the County Council. The applicant has provided more certainty regarding the provision of the environmental measures and condition 5 has been amended to ensure that such measures are provided. Flat sizes cannot be increased without a re-design of the entire scheme and viability implications. The development is considered to be well designed and secure.

3.3.2 The committee is asked to resolve that the reserved matters be approved subject to the conditions outlined below.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that reserved matters be approved subject to the following conditions.</p>	
1.	<p>The development hereby permitted shall be carried out in accordance with drawings referenced: Red Line Overall Development Rev A; Proposed Block Plan Rev A; Proposed Section AA & BB Rev A; Proposed Section CC & DD Rev B; Ground Level Landscape General Arrangement Plan Rev S4/P04; Site sections S4/P01; 01 Level Podium Garden Hard and Soft Landscape Proposals Rev S4/P01; 03 Level Roof Terrace Hard and Soft Landscape Proposals Rev S4/P01; Proposed East and West Elevations Rev C; Proposed North and South Elevations Rev B; Proposed Plan – Level 00 Rev B; Proposed Plan – Level 00 Mezzanine Rev B; Proposed Plan – Level 01 Rev C; Proposed Plan – Level 02 Rev C; Proposed Plan – Level 03 Rev C; Proposed Plan – Level 04 Rev C; Proposed Plan – Level 05 Rev C; Proposed Plan – Level 06 Rev C; Proposed Roof Plan Rev B; Proposed Section EE & FF and Proposed Section GG.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
2.	<p>No development shall commence until a 1m square sample panel of each proposed brick type, indicating brick bonding, mortar colour and pointing technique, has been constructed on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of the appearance of the development and surrounding area, which includes conservation areas, and given the scale of the building, in accordance with the aims of Policies 11, 17 and 23 of the Part 2 Local Plan (2019).</i></p>
3.	<p>No development above slab level shall commence until details of the numbers, types and locations of bat and bird boxes have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall be installed in</p>

	<p>accordance with the agreed details prior to first occupation of the respective block.</p> <p><i>Reason: To secure the provision of such features in the interests of biodiversity and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policies 17 and 31 of the Part 2 Local Plan (2019).</i></p>
4.	<p>No development above slab level shall commence until details of the numbers, species and sizes of proposed shrubs and trees and planting of other soft landscaped areas has been submitted to and approved in writing by the Local Planning Authority. The planting shall take place in accordance with the agreed details.</p> <p><i>Reason: Insufficient details were submitted and to ensure appropriate planting occurs, in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policies 11 and 17 of the Part 2 Local Plan (2019).</i></p>
5.	<p>PV panels will be installed, in accordance with details which shall first have been submitted to and agreed in writing by the Local Planning Authority, within 6 months of first occupation of the building unless details of alternative environmental measures have been submitted to and agreed in writing by the Local Planning Authority. If alternative environmental measures have been agreed, these shall be installed within 6 months of first occupation of the building.</p> <p><i>Reason: No such details were submitted and to ensure environmental measures are incorporated within the scheme, in accordance with the aims of Policy 1 of the Aligned Core Strategy (2014).</i></p>
6.	<p>The Station Road lay-by shall be provided in accordance with the Proposed Plan – Level 00 Rev B (or other such drawing as may be agreed) before any apartment or commercial unit hereby approved is first occupied and thereafter retained in the approved form for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety to ensure the development can be serviced and in accordance with the aims of Policy 17 of the Part 2 Local Plan 2019.</i></p>
7.	<p>No later than 12 months following first occupation of the hereby approved buildings beside Styring Street, any measures to facilitate the fixing of NET equipment to the Styring Street elevations of the buildings shall have been implemented in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.</p>

	<i>Reason: To minimise clutter in the footpath and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).</i>
8.	No refuse collections shall be made from the service lay-by between the hours of 07:30-09:30 and 16:30-18:30 Monday-Friday. <i>Reason: To restrict use of the lay-by by large vehicles during peak hours in the interests of highway safety and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).</i>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working with the agent to amend the design of the scheme.
2.	The conditions on 18/00360/FUL remain applicable to this development.
3.	The developer will need to maintain close liaison with the tram operator, Nottingham Trams, during construction works and with regard to the technical requirements for the installation of the fixings, Tel: 0115 8246060, email: info@thetram.net. It is not permitted for any vehicles to obstruct the tramway at any time.
4.	In order to carry out off-site works, 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. The applicant is advised to contact the County Council Highways team for details on Tel: 0115 9772210.
5.	The provision for refuse and recycling does not comply with the Council's requirements and has been accepted on the basis that a private company will be responsible for refuse/recycling collection.
6.	Ventilation and filtration equipment may require planning permission.
7.	The applicant is advised to contact Western Power before works commence on site in relation to the substation on site.
8.	The applicant is advised to contact Nottinghamshire Police to discuss the security specification of the building before commencing development.