

Report of the Chief Executive

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| APPLICATION NUMBER: | 19/00631/FUL |
| LOCATION: | LAND TO THE REAR OF CLAYTON COURT, QUEENS ROAD, NOTTINGHAMSHIRE |
| PROPOSAL: | CONSTRUCT THREE STOREY APARTMENT BLOCK COMPRISING 9 FLATS AND DROPPED KERB |

Councillor Cullen has requested this application be determined by Planning Committee.

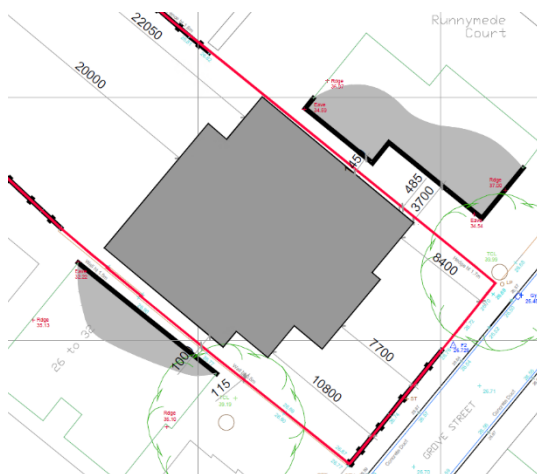
1 Executive Summary

- 1.1 This application seeks permission to construct a three storey, flat roof building comprising nine apartments and a dropped kerb on Queens Road. The building will comprise three, two bedroom apartments and six, three bedroom apartments. Each apartment will have two or three bedrooms, a kitchen/dining/living area and a bathroom (some with en-suites). A bin store and cycle store (with space for six bikes) will be positioned to the front of the building next to Grove Street. 15 car parking spaces are proposed (three to the front and 12 to the rear). Steps are proposed to the front entrance and a platform lift for level access from ground level. The proposal is for self-contained apartments and not for HMO accommodation.
- 1.2 The existing Clayton Court flats to the north west of the proposed apartments will be provided with six car parking spaces which amounts to one space per flat which will be accessed from Queens Road. The existing wall next to Queens road will be removed and the new dropped kerb will extend for the approximate width of the existing building.
- 1.3 The main issues relate to whether the principle of nine apartments and a dropped kerb are acceptable and if the development is acceptable in terms of flood risk, parking issues and impact on neighbour amenity.
- 1.4 The benefits of the proposal would mean nine additional homes within a sustainable, urban location with access to regular sustainable transport links which would be in accordance with policies contained within the development plan which is given significant weight. The proposed works would contribute to the local economy by providing jobs during the construction process. There would be some impact on neighbour amenity but this is considered to be outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

Appendix 1

1 Details of the Application

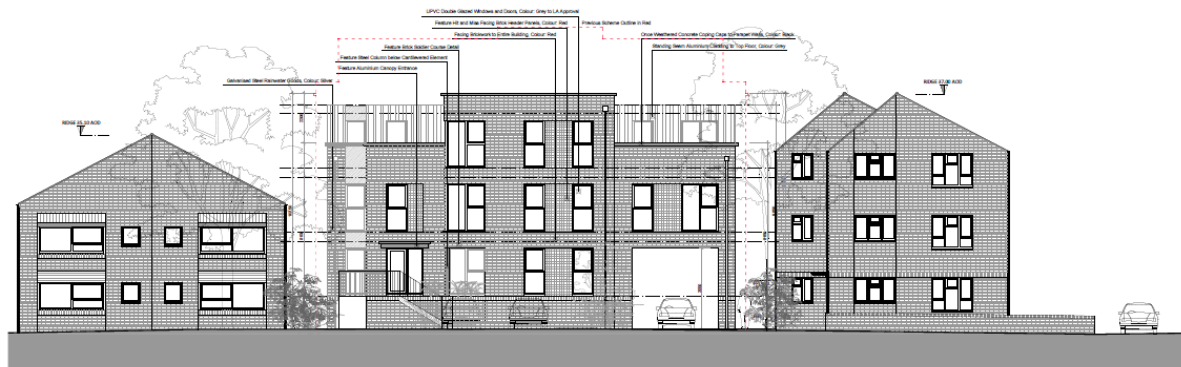
- 1.1 This application seeks permission to construct a three storey, flat roof building comprising nine apartments. The building will comprise three, two bedroom apartments and six, three bedroom apartments. Each apartment will have two or three bedrooms, a kitchen/dining/living area and a bathroom (some with en-suites). A bin store and cycle store (with space for six bikes) will be positioned to the front of the building next to Grove Street. 15 car parking spaces are proposed (three to the front and 12 to the rear). Steps are proposed to the front entrance and a platform lift for level access from ground level. The proposal is for self-contained apartments and not for HMO accommodation.
- 1.2 The existing Clayton Court flats to the north west of the proposed apartments will be provided with six car parking spaces which amounts to one space per flat which will be accessed from Queens Road. The existing wall next to Queens road will be removed and the new dropped kerb will extend for the approximate width of the existing building.
- 1.3 During the course of the application a number of amendments were made to the application, the main amendments are detailed as follows:
- Reduction in number of apartments from 16 to 9 (originally a major application)
 - Removal of fourth storey
 - Reduction in width of building
 - Building stepped in from south west boundary
 - Removal of side facing windows (not including front/side wrap around windows)
 - Removal of top floor roof terrace and Juliet balconies
 - Inclusion of six car parking spaces and a dropped kerb to the north west of existing Clayton Court flats.



Amended block plan



Original block plan



Proposed Front Street Scene Elevation - Grove Street

Amended street scene elevation



Proposed Front Street Scene Elevation - Grove Street

Original street scene elevation

2 Site and surroundings

- 2.1 The application site is currently occupied by a three storey apartment block consisting of six flats (Clayton Court) located to the north west of the site fronting Queens Road. Part of the land to the south east is currently used as informal parking and vehicular access to the site is from Grove Street. The site is relatively flat and is approximately 60m in length and 20m in width. There is a 2.2m high fence along the boundary with the Co-op supermarket and its car park to the north east and a 1.8m high privet hedge extends across the remaining boundary. A 1.5m high fence extends along the boundary with the cul-de-sac with the Sovereign Court flats, then Sovereign Court flats, then a 0.3m high brick wall. The boundary to the front is open.
- 2.2 The site is enclosed from the north west, north east and south west by three apartment blocks (including the existing Clayton Court flats) which have a mixture of flat and pitched roofs. Each block has between six and 25 flats. A Co-op local supermarket is positioned to the north and its car park adjoins the site. Grove Street is a mix of traditional style houses (semi and detached) and flats. Runnymede Courts are to the north east and Sovereign Courts are to the south west of the site.
- 2.3 The site lies within a predominantly residential area. The site is within walking distance of Beeston town centre (and the tram) and is in close proximity to regular bus services along Queens Road and Beeston train station. The site is located

within Flood Zones 2 and 3 which is land with a high probability (1 in 100 or greater) of river flooding.

3 Relevant Planning History

- 3.1 An outline application (all matters reserved) for residential flats (06/00567/OUT) was granted consent in March 2019. A reserved matters application was not submitted and this consent has 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 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan**

- 4.2.1 The Council adopted the Part 2 Local Plan on 16 October 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 11 – Making Effective Use of Land
- Section 12 – Achieving Well-designed Places
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

5 Consultations

- 5.1 **Council's Environmental Health Officer:** no objection subject to advisories in respect of working hours and prohibiting burning of waste on site.
- 5.2 **Council's Waste and Recycling Officer:** raises no objection and advise on requirements for bins.
- 5.3 **Council's Housing Strategy and Development Officer:** seek affordable housing on-site (four affordable rented units) based on 13 apartments.
- 5.4 **Council's Parks and Environment Officer:** no request for a S106 contribution.

- 5.5 **Nottinghamshire County Council Planning Policy team:** based on 13 apartments, an education contribution of £34,852 (2 x £17,426 per primary school place) and £23,875 (1 x £23,875 per secondary school place) is requested.
- 5.6 **Nottinghamshire County Council as Highways Authority:** no objection subject to conditions in relation to: ensuring dropped vehicular footways are made available on Grove Street and Queens Road; ensuring visibility splays are kept free from obstructions; driveways, turning and parking areas are surfaced in a hard, bound material for at least 5.5m behind the highway, constructed to prevent unregulated discharge of surface water onto the highway and are clearly delineated; parking and turning areas are not to be used for anything other than parking, turning and loading/unloading of vehicles and the development shall not be brought into use until the bin and cycle stores are available for use. Advise contacting the County Council in regards to works taking place over a public highway.
- 5.7 **Nottinghamshire County Council as Lead Local Flood Authority (LLFA):** no objection subject to a pre-commencement condition requesting a detailed surface water drainage scheme (original scheme).

As the scheme was amended to a minor application, the LLFA stated that it is not required to respond with bespoke comments and offer the following standing advice:

- The development should not increase flood risk to existing properties or put the development at risk of flooding
 - Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location
 - SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development
 - Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.
- 5.8 **NHS Nottingham City Clinical Commissioning Group (CCG):** no health contribution requested.
- 5.9 **Nottingham NHS Trust:** request a financial contribution of £6211 to provide additional health care services to meet an increase of patient demand as a result of this development for 16 flats.
- 5.10 **Nottingham Express Transit (NET):** no observations.
- 5.11 **Beeston Civic Society:** object (to original scheme). Four storey, 16 apartment building is over intensive, will have a dominant and overbearing appearance and will cause a loss of amenity to neighbours. The flats are not visually attractive or sympathetic to the character of the street which is largely detached or semi-detached houses with pitched roofs and front gardens with soft landscaping.

Should be fewer car parking spaces due to proximity to train station and bus/tram routes to allow for more soft landscaping. Should have proper balconies as opposed to Juliet balconies which would provide a better standard of living for future residents.

No objection to amended plans.

- 5.12 **Environment Agency (EA):** no objection subject to the floor levels being set no lower than 28.15m Above Ordnance Survey (AOD) and implementation of the flood resilience and resistance measures detailed in the Flood Risk Assessment (FRA).

Although the living accommodation is raised out of the modelled flood levels, the surrounding site and roads would be expected to flood in a 1% annual probability, 50% climate change flood to a depth of 85cm and in a 1% annual probability 30% climate change flood breach of defences scenario, to a depth of 45cm. The FRA does not include a Flood Action/Evacuation Plan in a format ready to hand over to the occupants/managers of the building.

The Local Planning Authority (LPA) must determine, in consultation with their emergency planners, whether the arrangements for access and egress are acceptable.

It is recommended that the occupants of the development sign up to receive Environment Agency flood warnings.

- 5.13 43 neighbouring properties were consulted and two site notices were displayed. Following the receipt of amended plans, three site notices were posted due to the change in publicising applications in line with Covid-19. In total, 30 objections, three observations and two responses detailing their support were received. The comments can be summarised as follows:

- All buildings on road have pitched roofs, the proposed flat roof will appear too dominant and will have a detrimental effect on historic housing
- Larger and different design to surrounding properties
- Four storeys would dwarf surrounding buildings
- Three storey building would be welcomed
- Overbearing and unsympathetic design
- Disregards neighbouring building heights, ridge lines, roof shapes, materials and rhythm
- Building is too tall, second floor should be removed
- Insufficient space between buildings
- No other buildings have access to the rear which will set a precedent
- Scale and massing is out of character with street
- Grove Street is over developed
- Sense of enclosure
- Flats looked cramped
- Below Government space standards
- Loss of privacy from large windows and roof terrace
- Loss of light

- Consideration should be given to the number of people in the neighbourhood
- Increase in traffic
- Insufficient parking for proposed apartments and existing Clayton Court apartments
- Grove Street is used as a cut-through road and for parking for railway stations and local businesses
- Delivery vehicles, refuse lorries and emergency service vehicles struggle to pass parked cars
- Yellow lines should be put on the north side of Grove Street
- Parking permits should be enforced
- Traffic accidents already occur in this area
- Junction with Dovecote Lane is hazardous with limited visibility
- Road is poor quality and will need resurfacing from additional traffic and developer should pay for this
- Traffic calming measures and speed bumps should be introduced
- No soft landscaping, visual and environmental concern
- Increase in noise
- Increase in surface water run-off
- Unprotected bike store will entice thieves
- Insufficient waste and recycling provision leading to bins left on kerbside
- Welcome the changes in respect of: reducing the overall height of the building, number of properties proposed, increasing the apartment sizes so they are more suitable for families and the addition of car parking spaces.

6 Assessment

6.1 The main issues are considered to be the principle of the proposed development, if the development is acceptable in flood risk terms, the design and layout, parking and the relationship to neighbouring properties.

6.2 **Principle**

6.2.1 Policy 8 of the Broxtowe Aligned Core Strategy (2014) encourages a mix of housing tenures, types and sizes. It is considered that the emphasis of the policy is on promoting housing mix rather than preserving the existing character of the area. Grove Street is characterised by varying styles and sizes of properties including traditional Victorian style houses and more modern apartment blocks that range from two to three storeys in height. The existing Clayton Court flats are three storeys with a flat roof. It is considered the development would add to the housing mix and it is considered that the character of the area would not be significantly harmed.

6.2.2 The site is within an existing residential area and provides an opportunity to provide additional housing outside of the Green Belt. There is also a need to boost housing supply which sites such as this can help deliver. The provision of nine apartments on this brownfield site is considered to be a benefit in terms of contributing to the provision of homes in the borough, especially given its proximity to Beeston town centre where a tram stop is located, the train station and regular bus routes.

- 6.2.3 In addition to the above, the site received outline planning permission to construct residential flats (06/00567/OUT) and whilst it is acknowledged this consent has expired and is some time ago, it still establishes that the principle of flats on this land is considered to be acceptable.
- 6.2.4 It is considered the principle of a dropped kerb on Queens Road to provide access to parking would be acceptable in order to retain separate parking for the existing Clayton Court flats.
- 6.2.5 Whilst it is acknowledged there will be some impact on amenity and parking, it is considered this is outweighed by the proposal of residential units which make an efficient use of the land. Whether there is sufficient space for nine apartments and the impact a development of this size will have on neighbouring properties will be discussed below.
- 6.2.6 To conclude, the site is located within an urban location and weight must be given to the need to boost housing supply. It will also provide an additional nine residential units within an existing settlement in a highly sustainable location, close to Beeston town centre and public transport links. It is considered the proposed apartments will not have an adverse effect on neighbour amenity and the design, massing, scale and appearance are considered to be acceptable (as detailed below). The principle of the development is therefore considered to be acceptable.

6.3 Flood Risk and Drainage

- 6.3.1 The site lies within Flood Zone 3 which is land with a high probability (1 in 100 or greater) of river flooding. A Flood Risk Assessment has been submitted with the application. Paragraphs 155 – 158 of the NPPF state that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere. All plans should apply a sequential, risk-based approach to the location of development in order to steer new development to areas with the lowest risk of flooding. A Sequential Test has also been submitted with the application which concludes that there are no alternative sites available within areas located in zones with a lower probability of flooding.
- 6.3.2 Within Beeston there are substantial areas which are within Flood Zones 2 and 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. Some of these sites may bring forward the opportunity to provide housing in areas of substantial need. Sequentially, it is considered the site is acceptable and it is considered a positive that this location minimises additional development in the Green Belt in Broxtowe. Therefore, when assessing whether other sites are 'reasonably available', this site can be viewed as a 'sustainability benefit' and the Green Belt must be treated as a major constraint.
- 6.3.3 The Environment Agency has raised no objection but has suggested conditioning that the finished floor level of the building should be set no lower than 28.15m AOD and that the flood resilience and resistance measures as stated within the FRA should be incorporated into the development. The FRA states that in the

event of existing flood defences being breached, the floodwater depth could be too great for safe passage except by emergency services and therefore if greater flooding does occur, this should be closely monitored from relevant announcements (Environment Agency and Local Authority). An advisory will be recommended in regards to the occupants registering to receive flood warning alerts. It is considered that flood risk issues have been sufficiently addressed.

6.3.4 The Lead Local Flooding Authority were consulted due to this originally being a major application. They raised no objection but advised a pre-commencement condition requiring the submission of a drainage scheme. They provided comments on the revised scheme and as this has been amended to a minor scheme, they have raised no objection and have not provided any bespoke comments. The comments provided in the consultation section will be included as an advisory minus the part in relation to altering a watercourse as this is not relevant to the scheme.

6.3.5 To conclude, within Beeston there are substantial areas which are within Flood Zone 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. A failure to permit residential development on sites such as this which are protected by good quality flood defences, and have a site specific FRA demonstrating the development is acceptable on flood risk grounds, will lead to alternative locations being required in less sustainable locations, including the Green Belt. Subject to a suitable condition as detailed above, it is considered that the development would be compliant with the requirements of the NPPF in relation to flood risk.

6.4 **Amenity**

6.4.1 The buildings that will be mostly impacted by the development will be Runnymede Court flats to the north east, nos. 26 – 32 Sovereign Court to the south west and Clayton Court flats to the north west.

6.4.2 The proposed flats will be a minimum of 1.5m and maximum of 3.7m from the south west (side) elevation of Runnymede Court flats (Runnymede Court steps in from the north east site boundary). The north east elevation of the building will be blank (not including the entrance into the stairwell). Runnymede Court has windows in the south west elevation and stepped back element facing south east which all serve either bathrooms or hallways. Due to the separation distance and these windows not serving primary rooms, it is considered this relationship is acceptable and would not be detrimental to the amenity of the occupants of Runnymede Court. The building will project beyond the north west (rear) elevation of Runnymede Court by 3m which is considered to be an acceptable sized projection that will not be to the detriment of the occupants of Runnymede Court. To conclude, it is considered there will not be detrimental impact on the amenity of the occupants of Runnymede Court and a neighbourly relationship can be maintained between the two buildings.

6.4.3 Nos. 26 – 32 Sovereign Court (flats) are positioned to the south west of the building. This existing building has two ground floor doors and a first floor window which serves a hallway in the north east elevation. The proposed building will largely align with the Sovereign Court flats but will be stepped in towards the front

and project slightly (see amended block plan in section 1.3). The proposed flats will be approximately 2m from the north east (side) elevation of Sovereign Court which is considered to be an acceptable distance given there are only one window and two doors in its north east elevation. Whilst it is acknowledged there will be a first and second floor corner window which will partly face south west, part of the building will project beyond Sovereign Court meaning there will be an oblique view of Sovereign Court from these windows. To conclude, it is considered there will not be a detrimental impact on the amenity of the occupants of nos. 26 – 32 Sovereign Court flats.

- 6.4.4 The proposed building will be between 20m – 22m from Clayton Court flats which is considered to be a sizeable distance. The separation distance between nos. 1 – 25 and nos. 26 – 32 Sovereign Court is 15m and therefore this relationship between apartment buildings has been established as being acceptable. It is considered the relationship between these two buildings would be acceptable as they will mutually overlook one another. It is considered there will not be a detrimental impact on the amenity of the occupants of Clayton Court flats.
- 6.4.5 The building will be set back a minimum of 7.7m from Grove Street and will be approximately 17m from the south east side of Grove Street which is considered a sizeable distance. Whilst it is acknowledged there will be windows in the south east (front) elevation, it is considered the separation distance and intervening road will mean the level of overlooking is not detrimental. In addition to this, this relationship is already established with buildings with forward facing windows fronting Grove Street from Sovereign Court and Runnymede Court. Buildings along Grove Street will mutually overlook one another. It is considered there will be a minimal loss of light and overshadowing to properties to the south east along Grove Street due to the separation distance and orientation of the building being positioned to the north west. To conclude, it is considered there will not be a detrimental impact on the amenity of the occupants along Grove Street.
- 6.4.6 Concerns have been raised that the apartments do not meet the Government's Technical Housing Standards for space requirements. Whilst a prediction of how many people occupying one apartment cannot be made, the following will be assumed based on the lowest occupancy in line with the Government's space standards. As set out in the guidance, a two-bedroom dwelling for three occupants should be a minimum of 61m². The three, two-bedroom ground floor flats will range from 54.7m² to 56.2m². It is considered that an approximate shortfall of 6m² in line with the space standards is acceptable, especially given that these space standards are a guideline and have not been adopted by Broxtowe. There is space to the front and rear of the proposed building. Each apartment has outward facing windows from primary rooms and what is considered to be a good amount of space that the shortfall is considered to not amount to a refusal.
- 6.4.7 As set out in the guidance, a three-bedroom dwelling for three occupants should be a minimum of 74m². Each three-bedroom apartment is between 80.2m² to 87.6m² and therefore meets the requirements. To conclude, whilst it is acknowledged that three out of the nine flats do not meet the national space standards set out by the Government, the shortfall of approximately 6m² is considered to be acceptable that each of these apartments is still considered to

afford a good standard of amenity to future occupants with outward facing windows and appropriate facilities. It is considered the future occupants will have an acceptable amount of amenity.

- 6.4.8 Although no outdoor amenity space is provided, this is a commonly accepted approach for flats and a development of this nature. It is noted that Dovecote Lane Recreation Park is within a short walking distance of the development. Although it has been raised within representations received that balconies should be included in the scheme, it is considered an acceptable standard of amenity has been provided for future occupants that these would not be required.
- 6.4.9 It is considered the proposed dropped kerb and bin/cycle store are relatively minor aspects of the development and will have minimal impact on the amenity of surrounding neighbours.
- 6.4.10 To conclude, it is considered the proposed apartment building is a sufficient size and distance from neighbouring buildings that it will not cause a detrimental impact on amenity or cause a significant loss of light or overshadowing. Significant amendments have been implemented into the scheme (e.g. removal of fourth storey, roof terrace, Juliet balconies and reduction in footprint of building) and it is considered the revised building is acceptable in regards to impact on amenity of neighbouring properties and buildings.

6.5 Design and Layout

- 6.5.1 This portion of relatively empty land creates a visual break between Runnymede and Sovereign Courts that a building of this size and layout is considered to be acceptable. The central point of the building will be approximately the same height as Runnymede Court but taller than Sovereign Court. Whilst it is acknowledged the building will be wider than the two neighbouring buildings, the front of the building will be stepped back in several places which will break up the appearance of its massing. In addition to this, the third storey will have two elements that are slightly lower in height with grey aluminium cladding which will give an element of subservience to the third storey. Runnymede Court has relatively symmetrical windows with a brown hanging tile feature against red bricks to the front. The proposed building will loosely respond to this detailing with 'hit and miss' brick detailing between and next to some of the front windows.
- 6.5.2 It is considered the proposal of a flat roof of a building this size is acceptable and if a pitched roof was proposed, this would increase the dominance of the building unless a floor was removed. It is considered a three storey flat roof building is acceptable in this location and would not appear out of character with the street scene. The proposed building would be directly in keeping with the adjacent Clayton Court flats which is a three storey, flat roof building.
- 6.5.3 It is considered that the layout of the building is appropriate to the size of the site. Whilst it is acknowledged the building has a larger footprint than the neighbouring buildings, this will not be completely visible from Grove Street, Queens Road or Sovereign Court as the two neighbouring buildings will reduce some of its visibility. The building sits back from Runnymede Court but slightly forward of Sovereign Court which is considered to be acceptable, given that there is a 7.7m

distance from the building to Grove Street. It is considered the building will not represent overdevelopment of the site as this will still mainly be occupied by a car park to the rear which breaks up the site between the new and existing building.

- 6.5.4 Whilst the building is relatively wide in the plot, it is still set off the boundaries with the neighbouring buildings. The cantilevered roof is considered to be an acceptable feature to the property and provides a visual break in the building itself which breaks up the massing of this part of the building.
- 6.5.5 Whilst it is acknowledged that some of the properties along Grove Street are of a Victorian style and the building reflects a contemporary style, it is still considered to be an acceptable design for its positioning. The buildings neighbouring the site do not have particular architectural interest and therefore a contemporary design which responds to the character of the development on this side of the road, is considered to be acceptable.
- 6.5.6 Although the proposed materials are stated on the plans (red facing brick and grey aluminium cladding), it is still considered necessary to request that samples are provided in advance of works commencing, given that this is a new building.
- 6.5.7 It is considered the proposed dropped kerb and bin/cycle store reflect an acceptable level of design.
- 6.5.8 To conclude, it is considered the design and layout of the building is acceptable and responds to the plot size and will not appear out of character with the area. Whilst it is acknowledged it does not strictly follow the traditional design of some of the houses on Grove Street, it is considered this is acceptable given that the neighbouring buildings (Runnymede Court, Sovereign Court and Clayton Court) do not hold any particular architectural interest and all enclose the site.

6.6 Parking

- 6.6.1 It is evident within the consultation responses that there is concern that the development has insufficient parking provision including any parking provision which will lead to increased demand for on-street parking which would be detrimental to the area.
- 6.6.2 In relation to assessing the highway impacts of a proposal, paragraph 109 of the National Planning Policy Framework 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 planning 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.
- 6.6.3 15 car parking spaces are proposed for nine flats which is considered to be a sufficient amount of parking for this size of development, especially given its close proximity to Beeston town centre, bus and tram services and the train station. The Highways Authority have not objected to the application.

6.6.4 An application for a similar type of development (10, one-bedroom apartment block) on Queens Road (18/00516/FUL) was refused at Planning Committee in March 2019. Part of the reason for refusal was based on insufficient parking. An appeal was submitted and was dismissed. Following the appeal, an application was submitted for an apartment block consisting of nine, one bedroom apartments (19/00808/FUL) which was granted permission at Planning Committee in February 2020. This scheme proposed one car parking space and is in a similar location to this development (although this development is within walking distance of the train station). Although the Inspector dismissed the appeal for the refused application (18/00516/FUL), the following was summarised on the 19/00808/FUL application in relation to the appeal which included the Inspector's comments:

'In respect of parking, 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 ... 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."

6.6.5 Whilst it is acknowledged this scheme was for one-bedroom apartments (which means car ownership would likely be low) and this scheme is for two/three bedroomed apartments, it is considered the proposal of 15 car parking spaces and proximity to the train station outweighs this matter.

6.6.6 Whilst it is acknowledged there will be an increase in traffic on Grove Street as a result of this development, it is considered there is sufficient parking to ensure this will not be to the detriment of highway safety. Furthermore, it is considered the amount of traffic caused by nine additional apartments would not be refusable based on the possibility of more traffic accidents, especially given the level of parking provided.

6.6.7 The proposal of six car parking spaces accessed from Queens Road for the existing Clayton Court flats is considered to be acceptable as this amounts to one space per flat.

6.6.8 The introduction of parking permits or speed calming measures are a matter that is dealt with by Nottinghamshire County Council as Highways Authority.

6.6.9 This is a minor scheme and therefore no financial contributions would be sought in relation to resurfacing the road.

6.7 Financial Contributions

6.7.1 In accordance with paragraph 56 of the NPPF and the Community Infrastructure Levy (CIL) Regulations 2010, planning obligations can only be used if they are: necessary to make the development acceptable in planning terms; directly related

to the development; and fairly and reasonably related in scale and kind to the development.

- 6.7.2 Affordable housing and education and NHS contributions were requested as part of the originally submitted scheme (as detailed in the consultation section). However, as the scheme has been reduced to nine apartments which is classed as minor development, no financial contributions would be required/requested.

6.8 Other

- 6.8.1 The Waste and Recycling manager has not raised any objections to the proposed bin store and has confirmed the bin capacity is sufficient for this sized development.
- 6.8.2 Whilst it is acknowledged there may be some increase in noise and disturbance from additional residents, it is considered this would not be to a detrimental level to warrant a refusal.
- 6.8.3 A degree of noise and disturbance is expected during the construction process; however, this will be managed with a time restrictive condition to ensure it is kept to specific times of the day. Anything that is considered to be excessive can be reported to the Council's Environmental Health department.
- 6.8.4 A landscaping condition will be included which will include a requirement for details of soft landscaping to be submitted.
- 6.8.5 It is considered the cycle store is sufficiently protected in order to reduce its visibility to the street scene and deter anti-social behaviour.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide nine additional homes within an existing urban area and would support short term benefits such as jobs during the construction of the proposed dwellings and would be in accordance with policies contained within the development plan. Whilst it is acknowledged there will be some impact on the amenity of neighbours and on-street parking, this is outweighed by the benefits of the scheme and due to its location within a highly sustainable area.

8 Conclusion

- 8.1 To conclude, it is considered that significant amendments have been sought so the proposed development has an acceptable impact on the amenity of the surrounding neighbours, the design is acceptable and will not appear out of keeping with the surrounding area and an acceptable standard of amenity has been provided for future occupants. The information provided in relation to flooding and drainage has satisfied objections and is considered to be acceptable. It is considered there is an acceptable amount of parking provided for the proposed apartments and existing Clayton Court flats. Therefore, it is considered the proposal is acceptable for the reasons set out above.

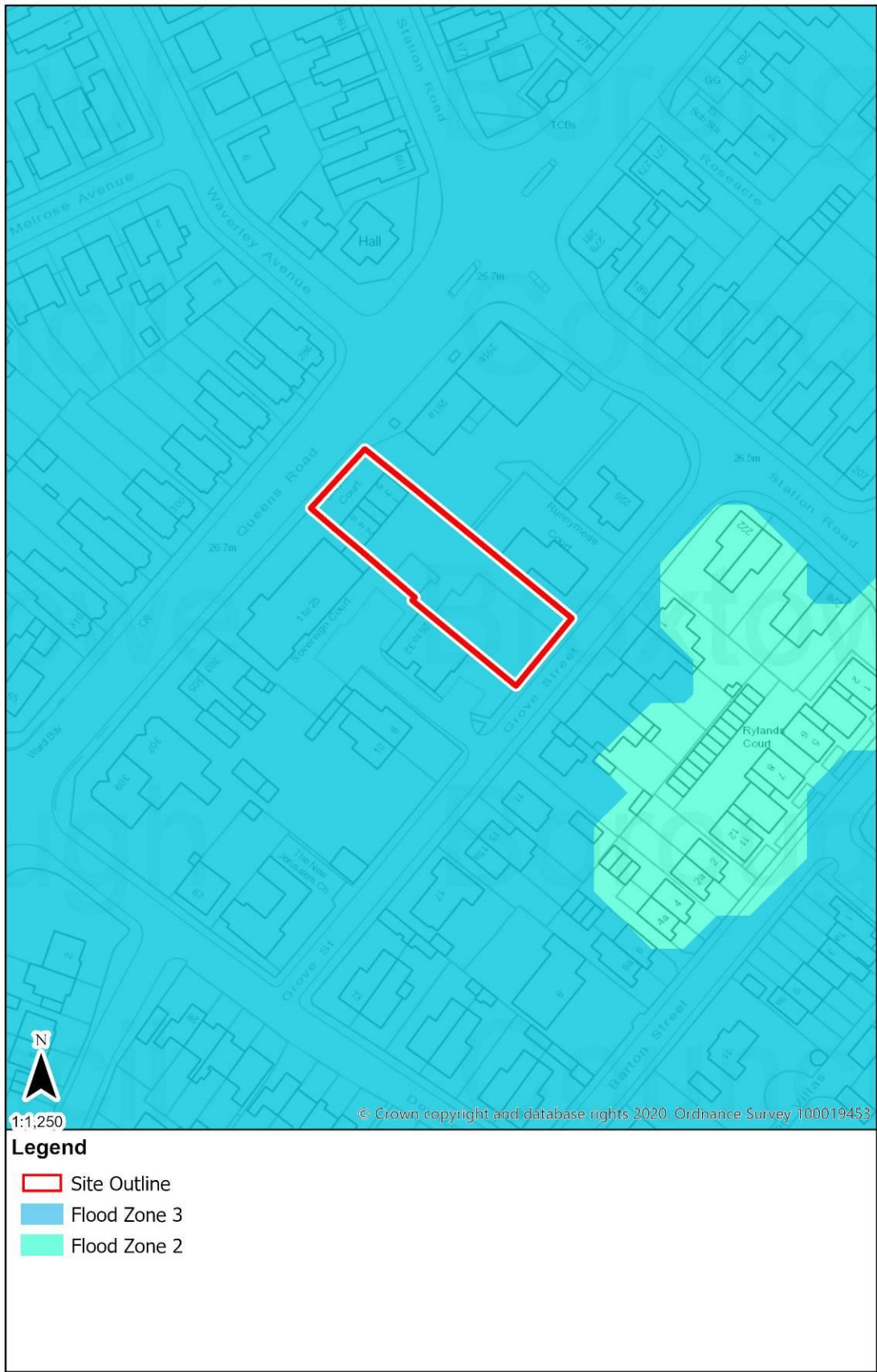
| <u>Recommendation</u> | |
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| The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions. | |
| 1. | <p>The development hereby permitted shall be commenced before the expiration of three years beginning 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:</p> <p>Received by Local Planning Authority on 1 October 2019:</p> <ul style="list-style-type: none"> • 001 <p>Received by Local Planning Authority on 15 June 2020:</p> <ul style="list-style-type: none"> • 003 Rev G • 004 Rev G • 005 Rev D <p>Received by Local Planning Authority on 25 June 2020:</p> <ul style="list-style-type: none"> • 002 Rev H • 007 Rev F <p>Received by Local Planning Authority on 30 June 2020:</p> <ul style="list-style-type: none"> • 006 Rev J • 008 Rev J • 009 Rev B <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. | No above ground works shall take place until a landscaping |

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| | <p>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; d. planting, seeding/turfing of other soft landscape areas and e. a timetable for implementation of the scheme. <p>The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the 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 Rev A prepared by Swish Architecture dated June 2020. Flood resilient measures and resistance measures shall be used as detailed in Section 6 and the finished floor levels shall be set no lower than 28.15m 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 apartments hereby approved, shall not be first occupied until:</p> <ul style="list-style-type: none"> • all driveways and parking areas have been surfaced in a hard, bound material (not loose aggregate) and designed to prevent the unregulated discharge of surface water onto the public highway; • each car parking space has been clearly delineated as shown on drawing 008 Rev J; • visibility splays are provided in accordance with drawing 008 Rev J and retained for the lifetime of the development; • dropped vehicular footway crossings on Grove Street and |

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| | <p>Queens Road are constructed and available for use;</p> <ul style="list-style-type: none"> the existing dropped vehicular footway crossing on Grove Street is extended and made available for use and the cycle store and bin store as shown on drawing 008 Rev J are constructed and available for use. <p>The surfaced drives, parking areas, delineated spaces and dropped vehicular crossings shall then be maintained in such form for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety to mitigate the impact of the development on the highway network, to ensure the bin and cycle store are available for use 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> |
| 7. | <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 agreed determination timescale. |
| 2. | The prospective building manager/occupants should register to receive flood warnings https://www.gov.uk/sign-up-for-flood-warnings |
| 3. | Any discharge of surface water from the site should look at: 1) infiltration 2) watercourse 3) sewer, as the priority order for discharge location. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development. |
| 4. | It is an offence under Sections 148 and 151 of the Highways Act 1980 to deposit mud onto the public highway and appropriate measures should be in place to avoid this. You are advised to contact the Nottinghamshire County Council as Highways Authority on telephone number: 0300 500 80 80. |
| 5. | The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse |

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| | collection requirements. |
| 6. | The development makes it necessary to construct a dropped kerb crossing over a 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 |
| 7. | No waste shall be burnt on site at any time. |

Map



Photographs



Facing north west (existing Clayton Court flats)



Facing south from Co-op car park (rear elevation of Runnymede Court to left)



North east (side) elevation of Sovereign Court flats



South west (side) elevation of Runnymede Court flats



Facing south east (nos. 5 and 7 Grove Street)



Facing north east along Grove Street next to Runnymede Court flats

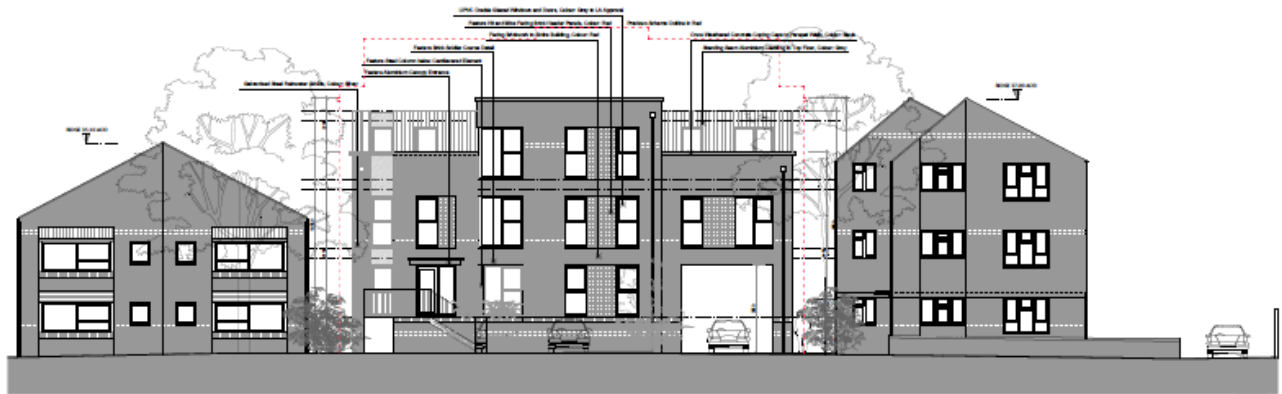


North west (front) of Clayton Court flats (wall to be removed)

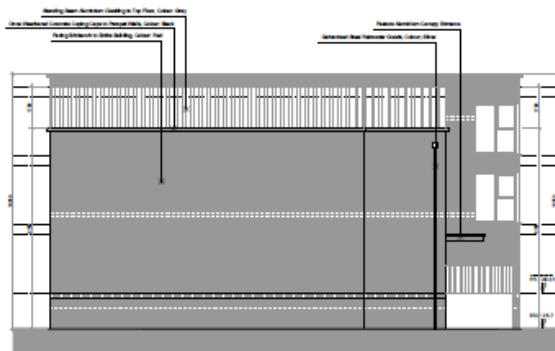


Facing north east of existing frontage (view of Co-op, Clayton Court flats to the right)

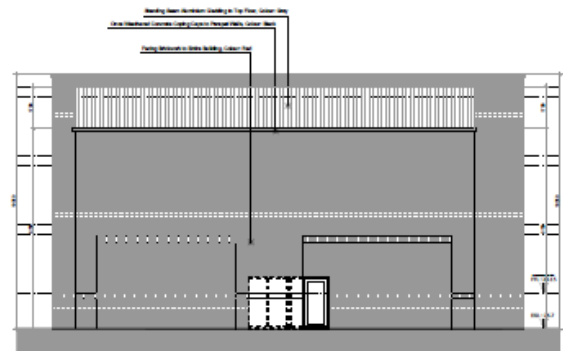
Plans (not to scale)



Proposed Front Street Scene Elevation - Grove Street



Proposed Side Elevation



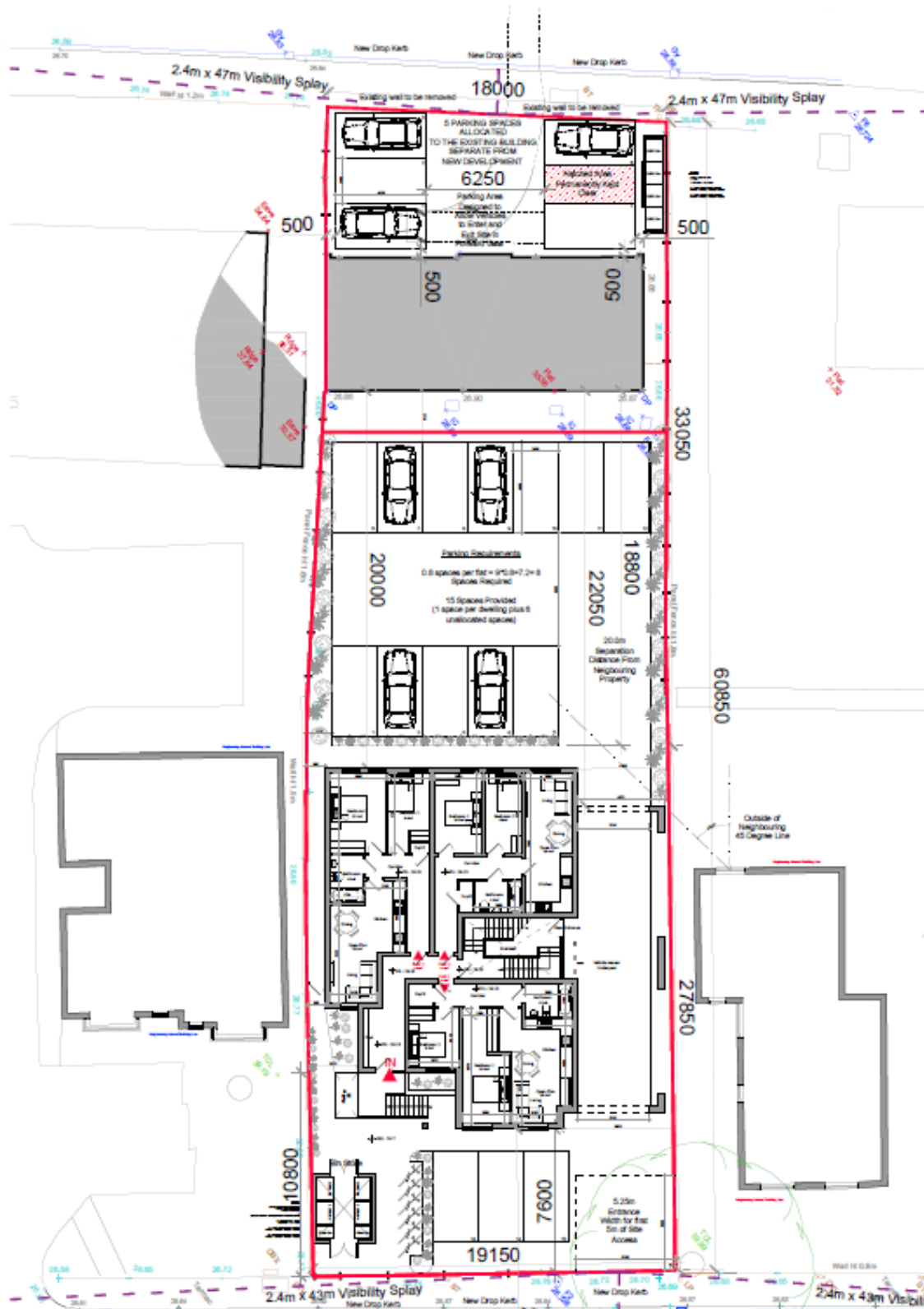
Proposed Side Elevation



Proposed Rear Elevation

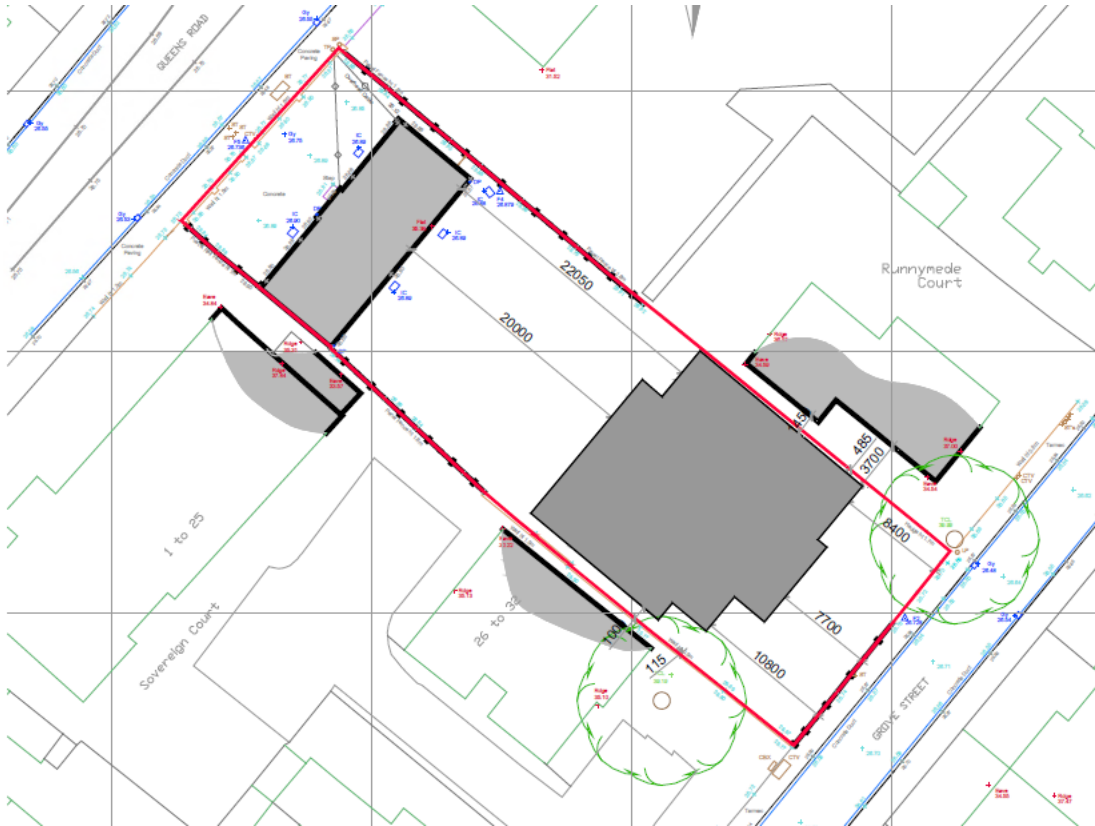
Proposed elevations

Plans (not to scale)



Site Plan

Plans (not to scale)



Block Plan