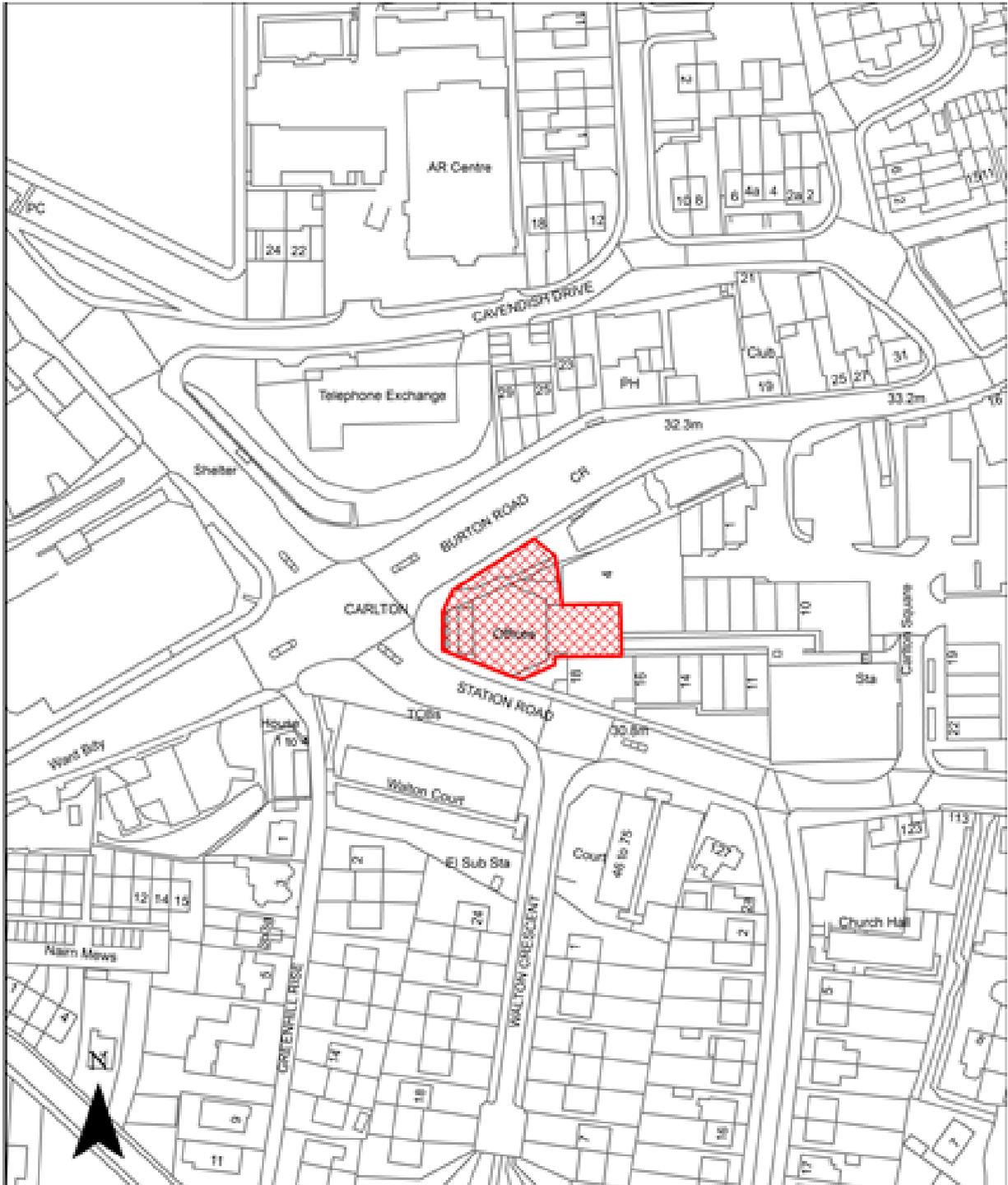




**Application Number:** 2016/1002  
**Location:** Dbh Serviced Business Centre, Carlton Square, Carlton, NG4 3BP.



**NOTE:**  
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## **Report to Planning Committee**

<b>Application Number:</b>	2016/1002
<b>Location:</b>	Dbh Serviced Business Centre, Carlton Square, Carlton, NG4 3BP.
<b>Proposal:</b>	Conversion of existing top floor plant space, including construction of additional new lightweight extension to create 14 new apartments.
<b>Applicant:</b>	Queensbridge Homes
<b>Agent:</b>	Padd Limited
<b>Case Officer:</b>	David Gray

### **Site Description**

The application site relates to the vacant DBH House, a former office building, within the Carlton Square District Shopping Centre. The premises are located to the west of Carlton Square District Shopping Centre and form a focal point on the corner of Station Road and Burton Road. The shopping precinct is a two-storey construction with a flat roof and a central pedestrian concourse which terminates at the second entrance to DBH House. The property is set over 5 floors with a hexagonal ground floor element including a mezzanine level, three main floors above, a top floor containing mainly plant machinery space, and a double height space above the third floor at the eastern end. To the south of the premises are prominent 7-storey blocks of flats on the opposing side of Station Road. To the north of Burton Road is a three-storey flat roof pre-fab office building set at a higher level. The application site incorporates the car park to the east of Carlton Square, with access from Station Road, which contains a current capacity of 46 Car parking spaces. The application falls within an area of land at risk of flooding.

The application site is within 5 minute walk of Carlton Train Station, with excellent public transport linkages to Nottingham City Centre.

### **Relevant Planning History**

In June 2014 (ref: 2014/0669) planning permission was granted for the Conversion of existing top floor plant space including the construction of additional new lightweight extension to create 12no. New Housing Association flats with associated works to the external fabric.

In May 2016 (ref: 2016/0561PN) a Prior Notification under Class J of the Town and

Country Planning (General Permitted Development) (Amendment) (England) Order 2015 was approved for the change of use of the office building into 31 residential flats.

### **Proposed Development**

Full planning permission is sought for the conversion of the existing top floor plant space, including the construction of additional new lightweight extension to create 14 new apartments.

The two new upper levels would contain 7 flats on each level (when combined with the works completed under the change of use) would result in the total of 45 units.

The rooftop plant space is being replaced with a high quality lightweight, glazed extension to improve the architectural quality of the existing building. The lightweight and reflective characteristics of the new addition have been chosen to reduce the overall massing.

This application would be delivered along with the change of use of the office building to residential flats granted under Prior Approval 2016/561PN. As part of the residential conversion there is a requirement to increase the level of fenestration in places, to enhance the levels of internal daylight within the respective sub-divided space.

During the processing of the application it has been confirmed that Gedling Borough Council have agreed that car parking permits for up to 46 spaces are available for the developer within existing car parking facilities.

### **Consultations**

#### **Nottinghamshire County Council (Highway Authority) –**

The car park to the rear of the development is still under discussion. The proposal indicates that there are 21 cycle parking spaces to serve the development.

It should be noted that the lack of designated car parking for the development does not comply with the Gedling Borough Council Residential Car Parking Standards.

This application is being assessed for the additional 14no Apartments. Having taken road safety into account the Highways Authority does not wish to raise any objection.

#### **Gedling Borough Council (Estates) –**

Confirmation has been received that Residential Car Parking Permits to the amount of 46 car parking spaces would be made available to future occupiers of the residential units at DBH house.

Therefore the development would have access to 46 no. car parking spaces.

#### **Nottinghamshire County Council (Policy) –**

The County Council does not wish to raise any objections on strategic planning grounds. However, it is recommended that the application is supported by a waste audit and any permission granted should be subject to a condition to promote sustainable travel in regards to bus stop improvements at Georges Road, Carlton.

Public Protection (Scientific Officer) –

No comments to make. However, consideration should be given to the installation of Electrical Vehicle points.

Strategic Housing –

The proposal falls below the minimum threshold for the provision of affordable housing.

Neighbouring Properties were notified and a Site Notice posted and no letters of representation were received as a result.

**Planning Considerations**

The relevant national policy guidance in respect of these matters is set out in the National Planning Policy Framework (March 2012). At the heart of the NPPF is a presumption in favour of sustainable development. The core principles set out in the guidance states at paragraph 17: -

Planning should: ‘proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs’.

In particular the following chapters are relevant in considering this application:

6. Delivering a wide choice of quality homes (paragraphs 47 – 55)
7. Requiring Good Design (paragraphs 56 – 68)

When delivering sustainable development paragraph 19 states:

‘The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.’

Section 7 of the NPPF states inter-alia; that good design is a key aspect of sustainable development and that it should contribute positively to making places better for people. Developments should function well and add to the overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architecture and appropriate landscaping.

The following saved policies of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008) are also relevant: -

Policy ENV1 – Development Criteria

Policy H11 – Conversions and Change of Use to Residential

The Gedling Borough Council Parking Provision for Residential Development (SPD) is also relevant when considering car parking provision for new development.

#### Principle of Development

As the application site is located within the urban residential area of Carlton within close proximity to Carlton District Shopping Centre and public transport links to Nottingham City there would be no objection in principle to the residential extension. Given the location of the development it is my opinion the proposal would be in a sustainable location delivering economic development that would provide a wider choice of homes to serve the local community.

#### Highway Safety and Residential Car parking Standards

I note the comments from the Highway Authority where no objections are raised with respect to highway safety to the additional 14 units. However, the Highway Authority raise concerns if no off street car parking is provided for the 45 units in total, should the whole site be brought forward utilising the prior notification and the current application.

The net result of the Full Planning Application and the Prior Approval application would be to provide a total of 45 residential flats. When considering the car parking provision the adopted Parking Provision for Residential Development Supplementary Planning Document (SPD) May 2012 is relevant. The SPD would usually require 0.8 unallocated car parking spaces to serve each residential flat which accounts to 36 spaces.

I note the comments from the Borough Council Estates team to the availability of residential car parking permit scheme to utilise 46 spaces from the car parks to the rear of Carlton Square District Shopping Centre. I consider that this provision would allow for potential occupiers of the development to secure off street car parking if and when required. Whilst I consider this can be seen as a planning gain, given that the car parking permit scheme is not in control of the developer and the Borough Council could take the decision to terminate the proposed car parking scheme, I shall also assess the development in the absence of this provision.

I note that the development is located within Carlton District Shopping Centre, with Carlton train station within 5 minutes' walk, and with a regular bus services to Nottingham City Centre. Given the sustainability of the location and that the existing premises (DBH House) has already received Prior Approval for a change of use to residential, that the addition of 14 residential units would not have an adverse impact on Highway Safety in this location. In making this recommendation I have had regard to paragraph 4.5 of the Gedling Borough Council Parking Provision for Residential Developments SPD. The SPD states that 'it is recognised that there are circumstances that require a departure' from the residential car parking standards and these instances include situations where all on street car parking is controlled by

Controlled Parking Zones and when Residential uses are provided above an existing shop in a shopping centre. Given the location of the proposed 14 units within an existing shopping centre and that the surrounding area is subject to controlled parking zones I am satisfied that the development would be consistent with the guidance of the SPD and would not result in any undue highway safety implications as a result.

#### The impact on the character of the area and on neighbouring residential amenity

I consider that the scale and design of the proposed extension to the roof would be in keeping with the existing property and would not detract from the architectural characteristics of the surrounding area. I note that the existing building is in a prominent location and acts as a 'gateway' into Carlton Square District Shopping Centre. I consider that the proposed external changes and improvements would result in a visually attractive building, an improvement to the existing property, and would add to the overall quality of the area.

I am satisfied that given that relationship with the existing property with the surrounding area that there would be no undue impact on the residential amenity of nearby properties.

#### Flood Risk

Given that the development is a change of use of an existing building and that the floor levels are to remain as existing I am satisfied that the proposal accords with the requirements of the Environment Agency Standing Advice and there would be no additional flood mitigation measures required in relation to this development.

#### Waste

I note that the County Council has requested that a waste audit is undertaken in relation to the collection, separation, sorting, recycling and recovery of waste from the development. Given that the bulk of the development is being delivered as permitted development and the existing waste collection facilities would be utilised I do not consider that a waste audit is necessary for the development of the 14 additional apartments.

#### Planning Obligations

Paragraph 204 of the NPPF states that planning obligations should only be sought where they meet all of the following tests:

- 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.

I note that Nottinghamshire County Council have requested that obligations be requested in the form of a condition attached to any approval. The contributions requested relate to bus stop improvements on George Road, to include real time displays and bus stop poles. When referring to the Planning Practise Guidance paragraph 1 'Planning obligations may only constitute a reason for granting planning

permission if they meet the tests that they are necessary to make development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind'. Planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms.

The development does not result in the requirement for new infrastructure installations in order for the development to be accessible to public transport linkages. I also consider that a development of 14 residential flats is not of a scale that should give rise to significant negative impacts on the existing highway infrastructure and public transport linkages. I also consider that the most likely bus stop destination for occupiers of this development would be from Burton Road and Station Road which serves the main route into Nottingham City Centre as the George Street bus stop serves only the local Netherfield, Carlton, Sneinton and St Annes areas. It is therefore my opinion, the request for obligations relating to improvements to existing public transport infrastructure does not meet the tests as set out in the Community Infrastructure Levy Regulations 2010 - Part 11 – in that the improvements are not: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.

### Conclusion

Given the above, it is considered that the proposed development would result in a more visually attractive building that would bring into use a currently vacant unit. It is also considered that the change of use would provide sustainable development, bringing back into use a vacant building providing a wider choice of homes to serve the local community. There are no undue highway safety implications as a result of the development. Given the above considerations I recommend that Planning Committee grants planning permission.

### **Recommendation:**

**To GRANT CONDITIONAL PLANNING PERMISSION, subject to the following conditions:**

### **Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in accordance with the submitted plans, application form, Design and Access Statement, and Noise Impact Assessment received on the 13th September 2016 drawing no's: PL-01, PL-02, PL-03, PL-04, PL-05, PL-06, PL-07, PL-08, PL-09, PL-10, PL-11, PL-12, PL-13, PL-14, PL-15, and PL-16.
3. Before development is commenced there shall be submitted to and approved

in writing by the Borough Council precise details of the materials to be used in the external elevations of the proposed development. Once approved the development shall be constructed in accordance with these approved details unless otherwise agreed in writing by the Borough Council.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring properties, the area in general and is acceptable from a highway safety viewpoint. The proposal therefore accords with policies H11 and ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

### **Notes to Applicant**

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application and during Pre Application discussions to address adverse impacts identified by officers to address concerns in connection with the proposal. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.