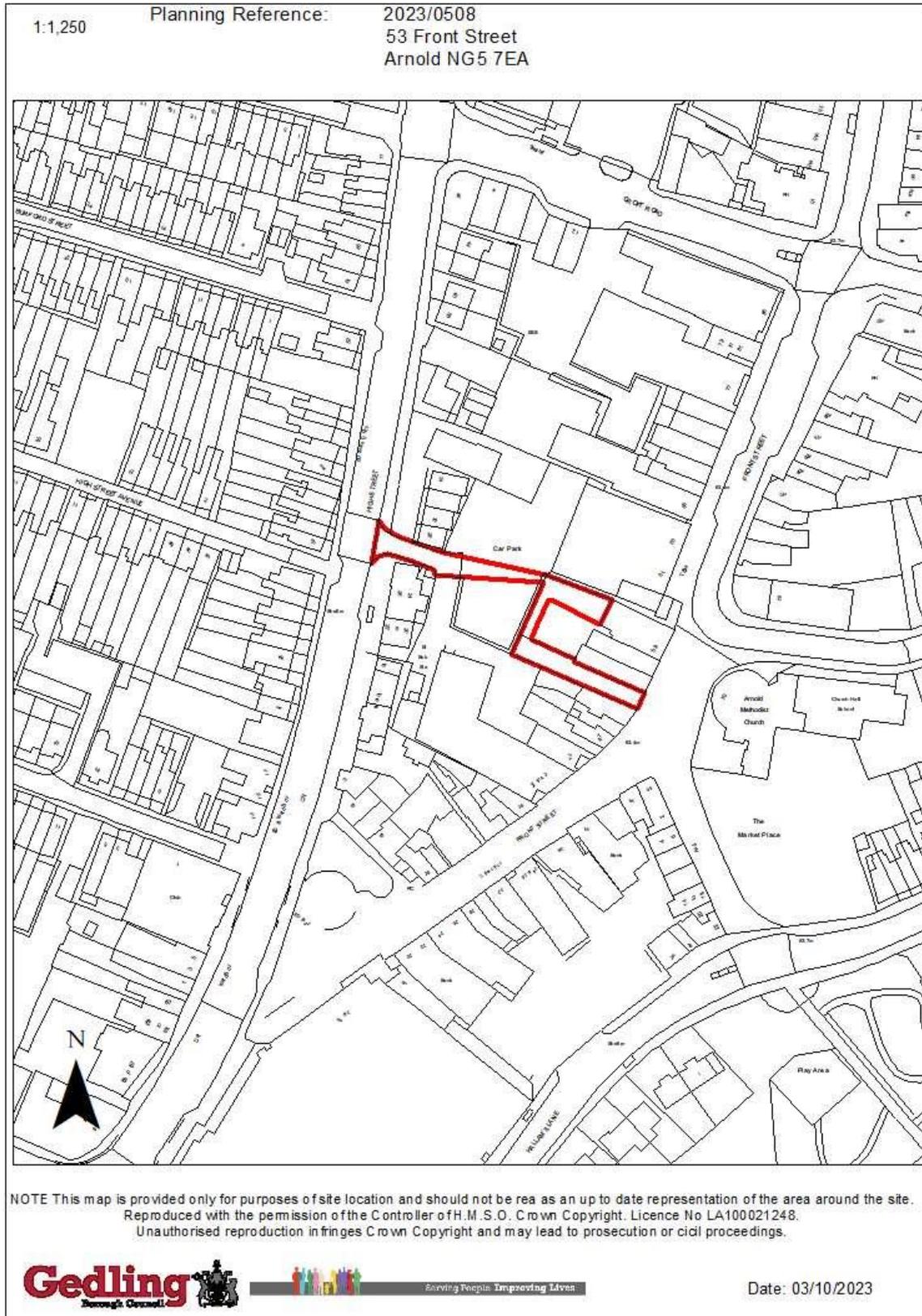




Planning Report for 2023/0508



Report to Planning Committee

Application Number:	2023/0508
Location:	53 Front Street Arnold NG5 7EA
Proposal:	Variation of conditions 2 (approved plans) and 3 (materials) of planning permission 2021/0936 (Proposed refurbishment and conversion of existing storage unit associated with retail premises to provide residential accommodation).
Applicant:	Linda Williams Property Ltd
Agent:	Indigo Architecture
Case Officer:	Joe Davies

This application has been referred to the Planning Committee as part of the application site is land owned by Gedling Borough Council.

1.0 Site Description

- 1.1 No. 53 Front Street is the end building of a terrace of three storey properties with frontages facing Front Street. It comprises a ground floor retail unit (pawn shop) with residential on the upper floors which is immediately to the north east adjoined by barbers, a leisure arcade both of which have residential to their upper floors and a coffee shop to the north east.
- 1.2 This application relates to a vacant storage building located immediately to the rear of and serving the host commercial unit at no. 53 Front Street. It is adjoined to the north east by a service yard overlooked by the upper floors of no. 55, no. 57 and no. 59 front street whilst the rear of the building immediately faces a flat roof landing area which provides access to the upper floor residential unit at no. 53 Front Street. Immediately to the north west is a public car park accessed from High Street. To the south west set at a much lower level is a private car park
- 1.3 The site is located within the Arnold Primary Shopping Area as identified on the Proposals Map of the Local Plan Document (2018).
- 1.4 Planning application 2021/0936, for the 'proposed refurbishment and conversion of existing storage unit associated with retail premises to provide residential accommodation' was considered at the Planning Committee of the 22nd February 2023. Permission was granted with the decision notice issued on the 15 March 2023.

2.0 Proposed Development

- 2.1 Permission is sought to vary conditions 2 and 3 of 2021/0936, which relate to the approved plans and materials to be used in the development.
- 2.2 The changes over the previously approved application would include the following:
- The installation of an automatic opening vent on the northern elevation;
 - The application of aluminium rain screen cladding to the building at second floor level all the way around the building, the extant approval includes brick to the east and west elevations and metal cladding to the north and south elevations.
- 2.3 The remainder of the development would be carried out as approved under permission 2021/0936.

3.0 Relevant Planning History

80/1790 – planning permission was refused in November 1980 for a store at the rear.

81/1159 – planning permission was granted in September 1984 for the erection of two storey extension comprising ground floor part retail/part unloading area and first floor store.

82/1285 – Planning permission was refused in November 1982 for the siting of portable building for a temporary period for storage purposes.

95/0559 – planning permission was granted in June 1995 for the erection of a first and second floor extensions for storage purposes.

2021/0936 – Planning permission was granted in March 2023 for the refurbishment and conversion of a storage building into 4 apartments.

4.0 Consultations

- 4.1 As the amendments to the proposal are the materials and external appearance only Members of the Public were consulted via site notice and letters to the adjoining neighbours. No comments were received as a result of this consultation.

5.0 Assessment of Planning Considerations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.

Development Plan Policies

The following policies are relevant to the application.

- 5.2 The National Planning Policy Framework (2023) The NPPF sets out the national objectives for delivering sustainable development. Sections 2 (Achieving Sustainable Development), 4 (Decision Making), 7 (Ensuring the vitality of town centres), 9 (Promoting sustainable transport), 11 (Making effective use of land), 12 (Achieving well-designed places)
- 5.3 The Greater Nottingham Aligned Core Strategy (ACS) Part 1 Local Plan (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:
- Policy A: Presumption in Favour of Sustainable Development – a positive approach will be taken when considering development proposals.
 - Policy 2: The Spatial Strategy – states that sustainable development will be achieved through a strategy of urban concentration with regeneration.
 - Policy 8 (Housing Size, Mix and Density) sets out the objectives for delivering new housing.
 - Policy 10: Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.
- 5.4 The Gedling Borough Local Planning Document (LPD) (July 2018) is part of the development plan for the area. The following policies are relevant in considering this application:
- LPD 32: Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.
 - LPD 35: Safe, Accessible and Inclusive Development – sets out a number of design criteria that development should meet, including in relation to the massing, scale and proportion of development.
 - LPD 50: Development within Town and local centres – identifies the types of uses of development that is likely to be acceptable in town centres.
 - LPD 51: Upper Floors – sets out the requirements for development of upper floors in town centres.
 - LPD 57: Parking Standards – sets out the requirements for parking.
 - LPD 61: Highway Safety – sets out that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

5.5 Supplementary Planning Documents/Guidance

- Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document (2022) sets out parking requirements.

6.0 **Planning Considerations**

Principle of Development

- 6.1 The proposal already has an extant planning permission for the conversion to residential, that could be carried out regardless of the outcome of this application and the principle of the development is therefore considered to be established. Furthermore, given the site's position within a highly sustainable location in Arnold Town Centre, in close proximity to good transport links and a wide range of shops and services, the proximity of other residential properties, and that the proposal would contribute to the housing mix within the Town Centre, it is considered that the principle of the proposed development is acceptable in line with Section 2 of the NPPF (2021) and Policy A, Policy 2 and Policy 8 of the ACS (2014). This would however be subject to the following material planning considerations:-

Design and Impact on the character and appearance of the area

- 6.2 The application site falls within the Arnold Primary Shopping Area and Arnold Town Centre.
- 6.3 It is accepted that the proposed extension would result in the existing split level building being increased in height. However there are other buildings within close proximity of the existing building which are of a similar height and, as such, it is not considered that the proposed extension would be so significantly out of character to justify refusal on these grounds. Furthermore, the existing building is of little architectural merit which presents a predominantly blank brick façade except for a roller shutter door, metal door and some shuttered first floor windows overlooking the public car park. The proposed development would introduce some additional features and openings which would greatly enhance the buildings visual amenity and its character and appearance within this highly visible location in the Town Centre.
- 6.4 The proposed extension and change of use would also bring this vacant storage building which is no longer required to serve the host retail unit, back into a long term viable use whilst not detracting from the vitality and viability of the Town Centre.
- 6.5 Furthermore, whilst the original brickwork to the east and west elevations would have made a positive impact to the character and appearance of the area, it is understood that there are issues with implementing this and the proposed aluminium cladding, whilst slightly less appealing than the brickwork, would still not result in a significant adverse impact to the character and appearance of the area, especially as the north and south elevations, were initially proposed to be metal clad in any case.

6.6 Taking the above into account it is considered that the proposal would not adversely impact on the character and appearance of the site or its wider context providing a more attractive and active building into this part of Arnold Town Centre. The proposal therefore accords with Sections 7, 11 and 12 of the NPPF (2021) Policy 10 of the ACS (2014) and Policies LPD35 and LPD 50 of the LPD (2014).

Residential amenity

6.7 Of relevance to this application, Policy LPD32 of the Local Planning Document requires that development proposals should not have a significant adverse impact on the amenity of nearby residents in terms of overlooking, noise, level of activity on the site, traffic or other forms of pollution. Policy LPD50 also sets out that development should not cause adverse impact on the amenity of nearby residents and occupiers.

6.8 There are no changes proposed to the windows or the built scale of the development over that already approved under 2021/0936, where the impact on neighbour amenity was found to be acceptable. The applicant could therefore build something with an almost identical impact on neighbour amenity, regardless of the outcome of this application.

6.9 The Proposed windows on the east elevation facing the first floor flat to the rear of no. 53 Front Street and those on the south elevation facing the rear gardens areas of no. 47/49 Front Street would be obscure glazed to safeguard the privacy of these nearby properties.

6.10 Furthermore the ground floor windows to the north elevation would be fitted with privacy glazing which would allow views out of but prevent views into ground floor apartments.

6.11 The impact in relation to noise and disturbance was taken into account under the 2021/0936 application and found to be acceptable, and there would be no changes to the proposed development that would alter that impact.

6.12 Whilst it is noted that there is an area of land immediately to the front of Apartment A which does not fall within the application site or the ownership of the applicant. This land is used for parking of vehicles for adjacent properties (55 and 57 Front Street) and there is a Right of Access to this through the application site. It is not considered that the level of activity this would generate to the front of Apartment A would be so significantly greater than one would expect for a residential unit within a Town Centre location to justify refusal on these grounds.

6.13 Taking the above into account it is considered that the proposal would not result in an adverse impact on the amenity of adjacent occupiers and would provide an acceptable level of amenity for future occupiers of the residential units given the Town Centre location. The proposal is therefore considered to be in accordance with the provisions of Section 12 of the NPPF (2023) and Policies LPD32 and LPD50 of the LPD (2018).

Highway Matters

- 6.14 Para 4.13 of the Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document states that:-

'The expectation is that parking standards will be met. However if the development is served by one or more regular public transport, this may be a material consideration justifying a reduced parking provision requirement, especially if the site is located within or close to a central area'

- 6.15 There have been no changes to either the parking provision proposed or the parking provision required since the grant of 2021/0936 and it is noted that the Highway Authority did not object to this previous application. Although no off street parking is provided, given the highly sustainable location of the site well served by public car parks and public transport and its proximity to the wide range of shops, services and facilities within Arnold Town Centre it is considered that this would allow a relaxation of the parking standards in this particular location. Furthermore, there is a car parking facility adjoining the site with free 2 hour parking during the day and no parking charge in the evening. The proposal would also provide cycle parking. Taking this into account it is considered that a refusal of planning permission on the basis of inadequate parking provision would not be reasonable in this instance.
- 6.16 Taking the above into account it is considered that the proposed development would not be detrimental to highway safety and the proposal is considered to accord with Section 9 of the NPPF (2021) and Policies LPD 50, LPD Policy 57 and LPD 61 and the Parking Provision for Residential and Non-Residential Developments SPD – (2022).

Other Matters

Loss of storage building to serve host retail unit

- 6.17 It is noted that the proposal would result in the loss of the existing storage building. However, this was already established under 2021/0936, where it was considered that it had been vacant for some time given the changes in the nature of the operation and small scale storage requirements of the host unit, which would be met within the existing retail unit.

Air Quality

- 6.18 Given the minor nature of the works required for the conversion and the fact that no parking spaces are to be provided, due to the site's sustainable location, it is considered that the impact on air quality would be acceptable and in accordance with Policy LPD 11.

7.0 Conclusion

- 7.1 The principle of the development was established under 2021/0936 and is still supported. The layout, design and appearance of the proposed extension is still considered to be acceptable. This together with the proposed use of the building as residential units is considered not to be detrimental to the amenity

of neighbouring buildings, future occupiers of the building nor to parking or highway safety.

- 7.2 Taking the above into account it is considered that the proposal is a sustainable form of development which is appropriate for its context and in accordance with Sections 2, 4, 7, 9, 11 and 12 of the NPPF 2023, Policy A, Policy 2, Policy 8 and Policy 10 of the Aligned Core Strategy (2014), Policies, LPD 32, LPD 35, LPD 50, LPD 57 and LPD 61 of the Local Planning Document (2018) and the Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document (2022).

8.0 Recommendation: Grant full planning permission subject to the conditions listed and for the reasons set out in the report

Conditions

1. The development hereby permitted shall commence before the 15th March 2026.
2. This permission shall be carried out in accordance with the details on the submitted application form and the following list of approved drawings:-
 - Side Elevations - 0326 - 21-11 - PL2;
 - Front and Rear Elevations - 0326 - 21-10 - PL2;
 - Ground and First Floor GA Plan - 0326 - 08-00 - PL1;
 - Second Floor and Roof GA Plan - 0326 - 08-01 - PL1;
 - Site Plan - 0326 - 08-00 - PL1; and
 - Location Plan - 0326 - 01-00 - PL1.
3. The development hereby approved shall only be carried out using the external materials set out in this application.
4. The external materials used in the infilling of any openings of the building shall match those of the existing building as closely as possible.
5. Apartment A and Apartment B of the development hereby approved shall not be occupied until the ground floor windows on the north elevation have been installed with privacy glazing and the ground floor window on the south elevation has been installed to a minimum of Pilkington Level 4 and secured as non-opening. These shall be retained as such thereafter.
6. Apartment C of the development hereby approved shall not be occupied until the windows to the east elevation and the first floor windows to the south elevation have been fitted with obscured glazing to a minimum of Pilkington Level 4 and are secured as non-opening. These shall be retained as such thereafter.

7. Apartment D of the development hereby approved shall not be occupied until the first floor windows to the east elevation and second floor windows on the south elevation have been fitted with obscured glazing to a minimum of Pilkington Level 4 are secured as non-opening. These shall be retained as such thereafter.
8. No part of the development hereby approved shall be occupied until a sound insulation scheme has been submitted to and approved in writing by the Local Planning Authority. The sound insulation scheme shall include the specification and acoustic data sheets for glazed areas of the development and any complementary acoustical ventilation scheme and be designed to achieve internal noise levels not exceeding 30dB LAeq(1 hour) and not exceeding NR 25 in bedrooms for any hour between 23.00 and 07.00.
9. Prior to the first occupation of the building hereby permitted precise details of the bin store shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall be implemented and made available for use in accordance with the approved details prior to first occupation of the building and shall be retained and maintained for the lifetime of the development.
10. No part of the development shall be occupied until the cycle racks shown on drg. no. Proposed Site Plan drg. no. Site Plan - 0326 - 08-00 - PL1, have been installed. These shall be retained and maintained for the lifetime of the development.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to define the terms of the permission.
3. To ensure a satisfactory form of development and the interest of visual amenity in accordance with Policy LPD 32.
4. To ensure a satisfactory form of development in the interest of visual amenity.
5. To ensure a satisfactory development and to safeguard neighbouring amenity.
6. To ensure a satisfactory development and to safeguard neighbouring amenity.
7. To ensure a satisfactory development and to safeguard neighbouring amenity.
8. To ensure a satisfactory development and to safeguard amenity.
9. To ensure a satisfactory form of development and the interest of visual amenity.
10. To ensure a satisfactory form of development.