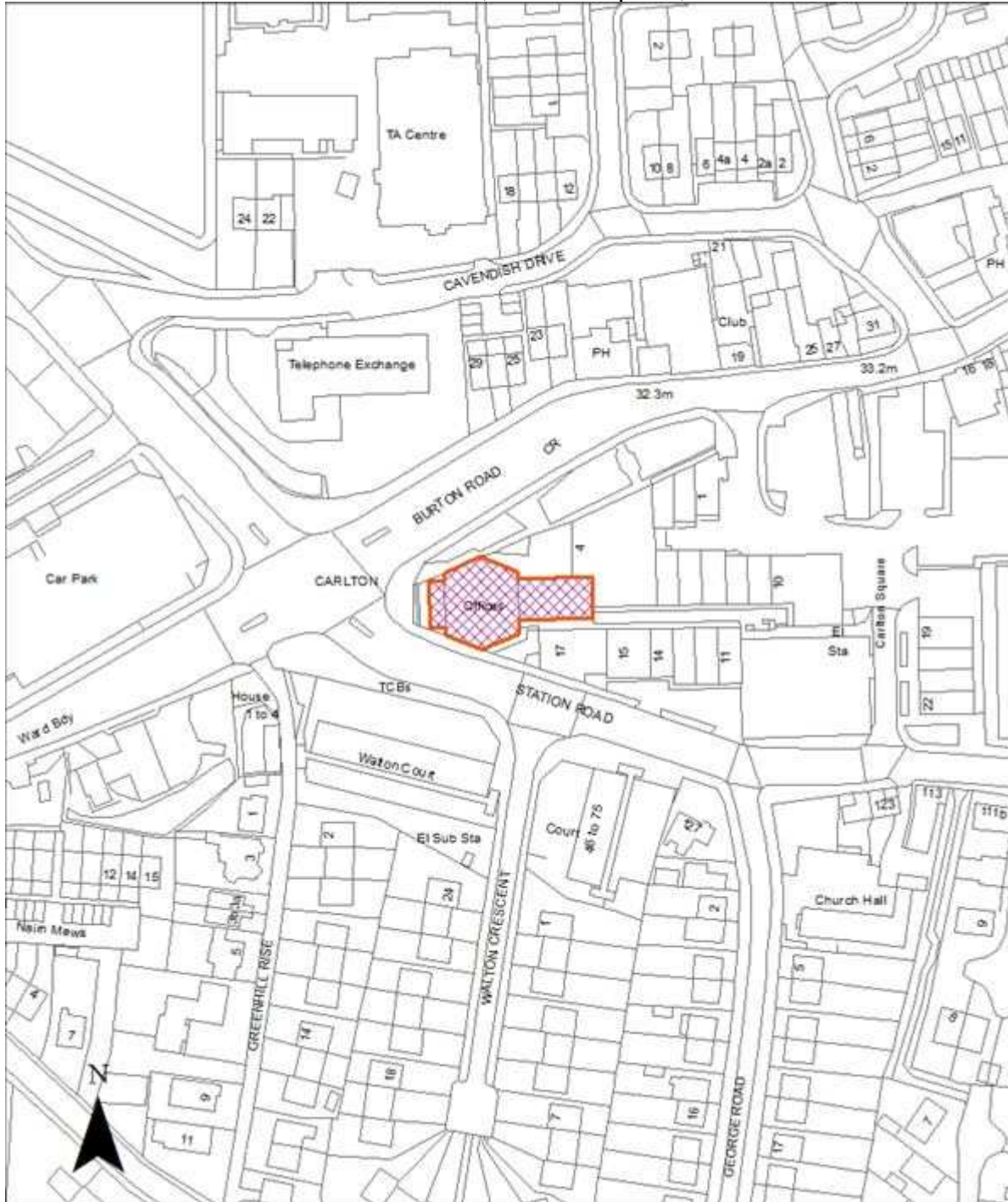




Application Number: 2014/0669

Location: DBH House, Carlton Square, Carlton.



NOTE:

This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site. Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright No. LA 078026
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Report to Planning Committee

Application Number: 2014/0669

Location: DBH House, Carlton Square, Carlton.

Proposal: Conversion of existing top floor plant space including construction of additional new lightweight extension to create 12no new Housing Association flats with associated works to external fabric.

Applicant: Mr Chris Peet

Agent: Mr Steven Milan

Site Description

The application site relates to the vacant DBH House, a former office building, and an associated area of public car park 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.

Relevant Planning History

A Prior Notification under Class J of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 was refused for the change of use of the office building into residential flats. The reason for the decision was the adverse transport and highways impacts of the development as the proposal did not provide sufficient car parking to serve the development (ref: 2014/0042PN).

Class J provisions allows for the change of use of offices to residential without the requirement of Planning Permission provided there are no:

- a) transport and highways impacts of the development;
- b) contamination risks on the site; or

c) flooding risk on the site.

Proposed Development

Full Planning Permission is sought for the conversion of the existing top floor plant space including the construction of an additional lightweight extension to create 12no Housing Association flats with associated works to the external fabric of the building. The development incorporates the change of use of the car parking to the east of Carlton Square from a public car park to private car park to serve the proposed development. This development would require planning permission and cannot be considered under the provisions of Class J.

Should planning permission be forthcoming the agent has indicated that the existing use and internal configuration of the office block would be subject to an application under class J of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 to change the use of the building from office to 28 residential flats. In order to accord with the requirements of Class J the existing public car park needs planning permission to change the use from public to residential in order to overcome the reasons for refusal of the previous application ref: 2014/0042PN.

The conversion and extension to the roof top incorporates a predominantly glazed flat roof extension which would result in an increase in roof height of 4.1 metres to the front of the building.

The proposal incorporates the replacement of the existing glazing for aluminium double glazing, spandrel panels in 'lookalike' dummy glazing, occasional coloured 'accent' panels, the clean-up of the existing brickwork, a new lightweight canopy addition to the front entrance and the upgrading of the existing ground floor walls.

A Design and Access Statement has been submitted with the application.

Consultations

Nottinghamshire County Council (Highway Authority) – The Highway Authority have assessed the whole site and the change of use of the building.

It is proposed to purchase an unused part of the shopper's car park to create 44 car parking spaces for the flats. This is a welcomed result to nil parking which was being proposed at Pre Application stage. However, this area will need to be controlled via a permit or barrier system to prevent all day parking for the staff in Carlton Square shops etc.

In view of the above the Highway Authority would have no concerns, subject to a condition referring to the parking areas being made available for use for the occupants of the flats, being maintained in a hard bound surface and the parking bays being delineated.

Planning Policy -

This is a planning application for a conversion and extension of an existing plant space on the top floor level to create 12 Housing Association flats.

The application site is located within Carlton Square District Shopping Centre as identified on the Proposals Map of the Replacement Local Plan (2005).

List of policies and background information:

National Planning Policy Framework:-

- 6. Delivering a wide choice of high quality homes (paragraphs 47-55)

Gedling Borough Replacement Local Plan (2005) (Saved Policies 2008):-

- Policy ENV1: Development Criteria
- Policy H10: Extensions
- Policy H11: Conversions and Change of Use to Residential

Gedling Borough Council at its meeting on 13th February 2013 approved the Gedling Borough Aligned Core Strategy Submission Documents (hereafter referred to as the ACSSD) which it considers to be sound and ready for independent examination. Following the examination hearings, Gedling Borough Council published main modifications to the ACSSD for public consultation. The Inspector conducting the examination has now issued her report on the examination of the ACSSD. In conclusion the Inspector states that with the recommended main modifications the ACSSD meets the criteria for soundness in the NPPF.

Consequently, the Borough Council, in determining planning applications, may attach significant weight to the policies contained in the ACSSD (with the recommended main modifications) in comparison to previous stages. The emerging plan is at a very advanced stage of preparation and outstanding objections have been resolved to the satisfaction of the Planning Inspector.

Key issues:

Policy H10 of the Replacement Local Plan states planning permission should be granted for extensions to dwellings provided:

- a) the appearance of the proposal is in keeping with the scale and character of the dwelling to be extended and its wider setting; and
- b) the proposal would not cause unacceptable harm to the amenities of nearby residents.

Policy H11 of the Replacement Local Plan states planning permission should be granted for the changes of use of other buildings to residential provided:

- a) all dwellings are self-contained with independent access arrangements;
- b) the proposal would not cause unacceptable harm to the amenities of nearby residents; and
- c) appropriate provision of parking is made.

The conversion and extension of an existing plant space on the top floor level should

meet the criteria set out in Policy ENV1 of the Replacement Local Plan.

Summary:

The proposal would meet the criteria set out in Policies ENV1, H10 and H11 of the Replacement Local Plan.

Public Protection – Advised verbally to refer to the comments made on application 2014/0042PN.

There are no proposals to excavate anywhere on the site (this is of importance as this office is built on the site of a Chromium Plating Works). As such there are no comments to make.

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 change of use of the premises. 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

As outlined in the Design and Access Statement it is the intention of the agent to utilise the provisions under Class J of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 to change the use of the existing office building to create 28 Flats. In order for the development to be acceptable under this legislation the change of use of the public car park to a private residential car park needs to be approved in order for the development to meet the requirements of the above legislation.

In order to secure a satisfactory development and to consider the impact on highway safety I consider it to be reasonable to attach a condition to any approval requiring the Prior Approval Application to be assessed and approved before the implementation of this permission. This would enable consideration of the impacts of the development as a whole in relation to car parking provision.

It is my opinion that the change of use of the redundant area of public car park to provide a private car park to serve the flats would be acceptable from a highway safety viewpoint. I also consider there to be sufficient public car parking available in the two other car parking areas to serve the needs of Carlton Square District Shopping Centre. I note that the Highway Authority have not objected to the change of use of the car park from public to private.

The net result of the Full Planning Application and the Prior Approval application would be to provide a total of 40 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 require 0.8 unallocated car parking spaces to serve each residential flat. When referring the details of the development the total requirement for off street car parking would be 36 unallocated car parking spaces. I note that the development incorporates the change of use of 44 redundant public car parking spaces and that this provision would be adequate to satisfy the requirements of the SPD.

I note the comments from the Highway Authority where no objections are raised with respect to the car parking or highway safety. Should planning permission be forthcoming I would suggest attaching conditions requiring a detailed plan of the car

park showing the car parking spaces clearly delineated to be submitted to and approved by the Council before the development commences. I also consider it reasonable to require precise details of a secure access system or management strategy (i.e. barrier or permit system) to be provided for the shared car park in order to prevent all day car parking for users of Carlton Square District Shopping Centre.

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.

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 that would provide a wider choice of homes to serve the local community. There are no highway safety implications as a result of the development. Given the above considerations I recommend that Planning Committee grants planning permission.

Recommendation:

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, and Design and Access Statement received

on the 5th June 2014 drawing no's: 20-003, 20-002, 20-001, 1063-01, 20-004, 25-001, and 25-002 and the revised site location plans received on 20th June 2014.

- 3 No part of the development hereby permitted shall be implemented until the Change of Use of the existing office building into 28 flats has been approved using the provisions within Class J of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.
- 4 Before development is commenced there shall be submitted to and approved in writing by the Borough Council a precise layout plan of the private car park showing individual spaces marked out. Once approved the development shall be carried out in accordance with these details and be retained for the life of the development unless otherwise agreed in writing by the Borough Council.
- 5 Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of a secure access system or management strategy (i.e. barrier or permit system) to be provided for the shared private car park serving the flats. Once approved the development shall be carried out in accordance with these details and be retained for the life of the development unless otherwise agreed in writing by the Borough Council.
- 6 No part of the development hereby permitted shall be brought into use until the parking areas are available for use for the occupants of the flats. The car park shall remain surfaced in a bound material with the parking bays clearly delineated. The parking, areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of vehicles.
- 7 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 comprehensive and complete development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
- 4 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.

- 5 To ensure that adequate off-street parking provision is available to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 6 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 7 To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

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 2008).

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 proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

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.

Date Recommended: 24th July 2014