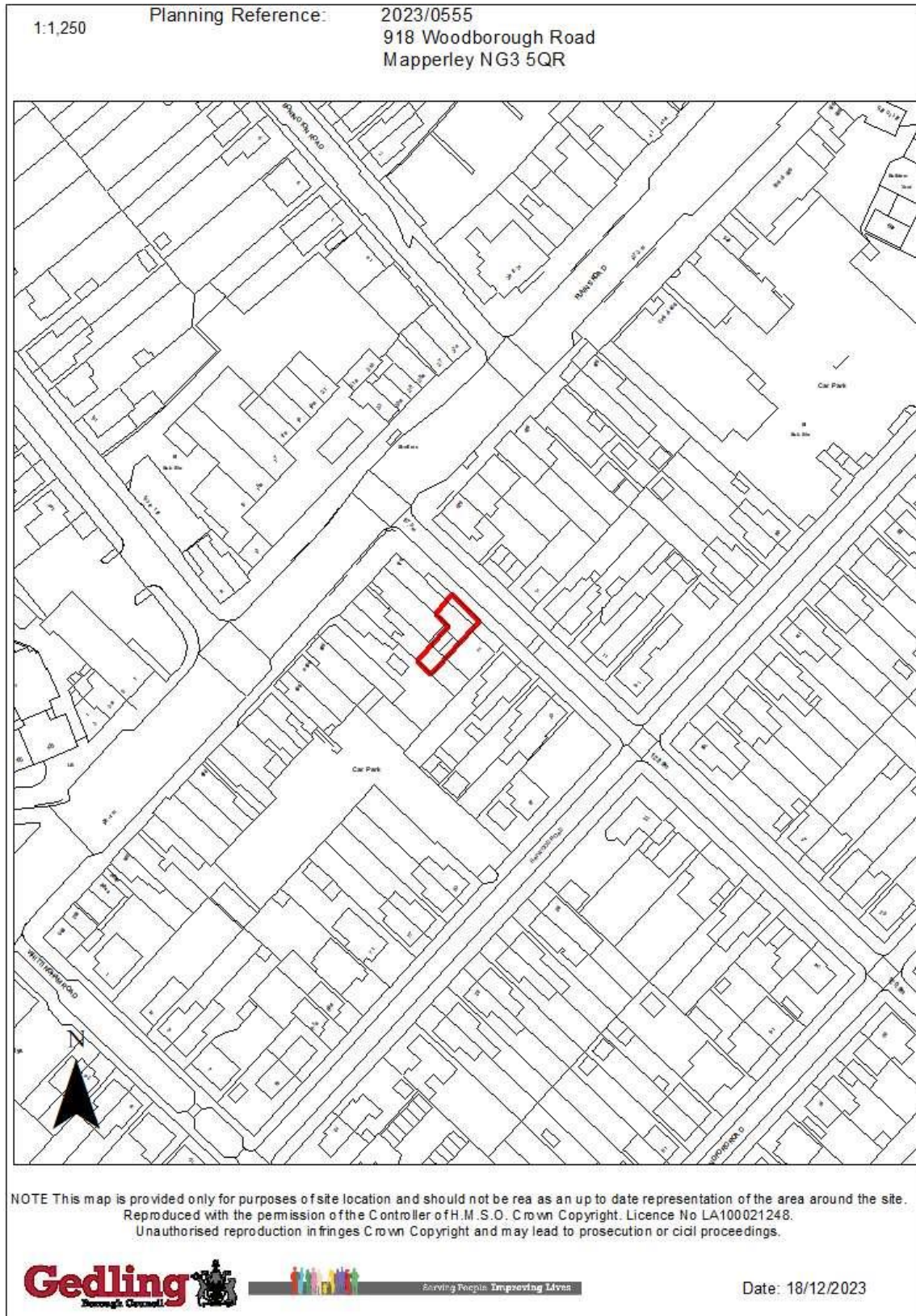




Planning Report for 2023/0555



Report to Planning Committee

Application Number:	2023/0555
Location:	918 Woodborough Road Mapperley
Proposal:	Outline application for the demolition of a single storey triple garage and replacement with a 2 storey development containing up to 4 studio apartments.
Applicant:	Mr P Georgiou
Agent:	Mr Matthew Ngai
Case Officer:	Joe Mitson

The application has been referred to Planning Committee by the Planning Delegation Panel to assess the impact of the proposal on the highway network through a potential increase in on-street parking.

1.0 Site Description

- 1.1 The site comprises a single storey flat roofed row of triple garages fronting Bennett Road, which extends to the rear in an L shape, with a garden to the rear. The site is located within in a mixed-use area where offices, commercial, retail and residential uses all exist within Bennett Road and Woodborough Road.
- 1.2 To the north-west the site borders a two-storey building that forms part of a rear projection for the building that fronts onto Woodborough Road and has a commercial use (barbers) on the ground floor and residential above.
- 1.3 To the north-east the site borders Bennett Road with dwellings on the opposite side of the road.
- 1.4 To the south-east the site borders a two-storey building fronting onto Bennett Road and has a commercial use on the ground floor and residential above.
- 1.5 To the south-west the site borders the rear garden of the adjacent building with the two-storey rear projection to the west in office use.

2.0 Relevant Planning History

- 2.1 There is no history on this building.

3.0 Proposed Development

- 3.1 Outline planning permission is sought for the demolition of the single storey triple garage and replacement with a development containing 4 studio apartments. All matters are reserved for subsequent approval.
- 3.2 The application is accompanied by illustrative floor plans and elevations depicting a building of two-storey proportions, comprising two x one bedroomed studio apartments on the ground floor and two x one bedroomed studio apartments at first floor level with a communal hall and stairway and a communal garden to the rear.

4.0 Consultations

- 4.1 Nottinghamshire County Council Highway Authority – The proposed apartments do not have any off-street car parking and will rely with on-street car parking. However, owing to the location alongside a Local Centre they consider that they do not wish to raise any objection to the proposal having taken the road safety, subject to a condition that requires the existing dropped kerb to be brought up to full height kerbs at the applicant's expense, as they are no longer required.
- 4.2 Gedling Borough Council Scientific Officer (Air Quality and Contamination) – No objection subject to a condition for a Construction Emission Management Plan (CEMP) and an informative relating to asbestos.
- 4.3 Members of the Public - Neighbour notification letters were posted. In total 5 representations objecting were received which were made on the following grounds:
- The scheme is too dense, with the space being very limited;
 - Small living spaces - well below the recommended size of 37 square meters for a studio with a shower room;
 - Lack of parking, nearby roads are congested impact on road safety, scheme should provide 4 no. parking spaces;
 - Road is dark;
 - Limited access to the rear of the property;
 - Impact on local amenity and overlooking;
 - Overlooking neighbouring garden;
 - Disruption during the construction phase;
 - No storage space for wheelie bins;
 - The aesthetics of the proposed building are not in keeping with the architecture of the established buildings on Bennett Road.

5.0 Relevant Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be 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

5.2 The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The most pertinent policies to the determination of this application are as follows:

- LPD 11 – Air Quality – planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.
- 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 33 Residential Density – planning permission will not be granted for residential development of less than 30 dwellings per hectare.
- LPD 35 Safe, Accessible and Inclusive Development – planning permission will be granted for development proposals subject to certain criteria being met relating to streets and spaces.
- LPD 37 Housing Type, Size and Tenure – planning permission will be granted for residential development that provides for an appropriate mix of housing, subject to housing needs and demographic context within the local area.
- LPD 40 – Housing Development on Unallocated Sites – planning permission will be granted for residential development on unallocated sites that are not within the Green Belt subject to certain criteria being met.
- LPD 57 – Parking Standards - sets out the parking requirements for residential and non-residential development.
- LPD 61 – Highway Safety – Planning permission will be granted for development proposals which do not have a detrimental effect on highway safety, patterns of movement and the access needs of all.

5.3 The Aligned Core Strategy was Adopted in September 2014, the following policies are considered most pertinent to the determination of the application; Policy A – Presumption in Favour of Sustainable Development; Policy 2 The Spatial Strategy – that sets out the development strategy for the borough, Policy 8 Housing Size, Mix and Choice – that sets out the general approach to residential development and Policy 10 Design and Enhancing Local Identity – that sets out the criteria that development will need to meet with respect to design considerations.

5.4 With respect of the National Planning Policy Framework 2023 (the NPPF), the following chapters are considered to be most pertinent to the determination of the application:

Section 2 Achieving sustainable development – paragraph 11 provides for a presumption in favour of sustainable development.

Section 5 Delivering a Sufficient Supply of Homes notes the Governments objective to boost housing supply in order to meet need.

Section 8 Promoting healthy and safe communities - Paragraph 91 aims to achieve places which promote an effective use of land whilst safeguarding and improving the environment and ensuring safe and healthy living conditions and

the provision of safe and accessible environments with clear and legible pedestrian routes and high-quality public spaces.

Section 9 Promoting sustainable transport provides that safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Section 11 Making effective use of land requires that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Section 12 Achieving well-designed places. Paragraph 124 states that good design is a key aspect of sustainable development creates better places in which to live and work and helps make development acceptable to communities.

- 5.5 Other policy guidance of note includes: 'Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document' (2022).

6.0 Planning Considerations

Principle of Development

- 6.1 The proposal comprises the demolition of a triple garage and the erection of a replacement building comprising up to 4 studio apartments. All matters are reserved, with indicative details provided. These illustrate a two-storey building with two studios per floor and a communal garden area to the rear.
- 6.2 The site is within the built-up part of Mapperley where there is a presumption in favour of residential development as it represents a sustainable location. The use of the garaging is low level commercial, the current use being storage. The loss of this commercial space could not reasonably be resisted on land use terms. As such, in land use terms the proposed residential development can be supported.
- 6.3 The illustrative plans indicate the site would be capable of accommodating residential development of up to four studio apartments.
- 6.4 The proposal is therefore acceptable in principle and complies with Policies 2 and 8 of the Aligned Core Strategy and the thrust of the NPPF.

Design and Layout

- 6.5 Outline planning permission is sought with all matters reserved meaning that should permission be granted; a reserved matters application will need to be submitted and considered before any work can commence. The applicant has submitted an indicative drawing to demonstrate at this outline stage that some

form of two storey building containing 4 self-contained studio apartments can be accommodated on the site.

- 6.6 The existing row of garages are of limited merit and no objection is raised to their demolition. Bennett Road is largely characterised by brick built two storey semi-detached Victorian dwellings, with a later two storey detached dwelling and detached triple garage opposite the site. However, the site is also adjoined by buildings of varying ages, architectural types and scales.
- 6.7 The illustrative plans demonstrate that the site could accommodate up to 4 x 1 bedroomed studios without resulting in a cramped form of development or over-development. The indicative building is shown approximately in line with the adjacent building in terms of front and rear building lines. However, as stated the final siting, scale and design are reserved for future, subsequent approval. As such a further reserved matters application would ensure that all design criteria are met.
- 6.8 Taking these issues into account, it is deemed that at this outline stage a suitability designed scheme could be presented that would not be detrimental upon the character and appearance of the application site. Therefore, the proposals would accord with Part 12 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy.

Residential Amenity

- 6.9 The site is immediately surrounded by a hairdressers and residential accommodation to the north (No's 918, 918A and 918B) and to the south by No. 2 Bennett Road.
- 6.10 The illustrative site layout and elevations show a two-storey dwelling located on a similar footprint to the garages, set to be demolished and the illustrative scheme does not propose any windows to either side elevations, with all windows located to the front (facing onto Bennett Road) or to the rear. However, the final siting, scale and design are reserved for future, subsequent approval.
- 6.11 In terms of potential impact on occupiers of neighbouring properties, to the front the building would border the highway which would separate the units from the dwelling opposite. To the sides the proposed building would be located between the two neighbouring buildings, neither of which have windows on the elevations facing the site. To the rear the proposal is likely to result in habitable windows at first floor level. However, this would not result in undue overlooking or loss of privacy significantly above the current relationship between the existing buildings.
- 6.12 The indicative layout demonstrates that an area of amenity space could be located to the rear of the premises for future residents. Therefore, for the reasons set out above, it is considered that at this outline stage that a suitability designed scheme could be presented that would provide suitable amenity for future residents and neighbouring amenity would not be harmed, in accordance with the policies as set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policies LPD32 and LPD43 of the LPD.

Highway Matters

- 6.13 The proposals would provide no off-street car parking spaces or any defined on-street spaces. Concerns have been raised regarding the lack of parking provision for the proposals and it is acknowledged by the highway authority that the proposal could potentially generate a greater demand for on-street parking in an area that has a mix of housing which largely rely on the street for parking.
- 6.14 It should also be acknowledged that the current building has a commercial use which generates a certain level of traffic and could result in some on-street parking. Furthermore, should the use be intensified above the existing storage use the traffic generation and on-street parking demand could also increase. The potential impact of the commercial use needs to be balanced with the potential impact of the proposed studio apartments.
- 6.15 The Council's adopted Supplementary Planning Document 'Parking Provision for Residential and Non-Residential Developments' (February 2022) would require 0.8 spaces per flat, or 1 space when rounded up. It is stated at paragraph 4.13 that whilst "The expectation is that parking standards will be met, however if the development is served by one or more regular public transport service, this may be a material consideration justifying a reduced parking provision requirement, especially if a site is located within; or close to a central area." In this scenario, the application site is directly adjacent to Mapperley Plains Local Centre where there are two bus stops within 70m of the application site together with local services.
- 6.15 Given the limited number of studios proposed, up to four, and given the likely limited internal space of each as only a two-storey development is proposed, it is not considered the proposal would generate a significant increased demand for on-street parking above the existing commercial use. It is acknowledged there may be an increase, but this is likely to be limited.
- 6.16 The NPPF is clear in relation to advice when considering highway matters. At para 109 it states: "*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*".
- 6.17 The Highway Authority have been consulted about the proposals and acknowledges that there would potentially be a degree of inconvenience to the existing residents who also have a current demand for parking in the area, however owing to the proposals being studio apartments and close to a Local Centre they do not wish to raise any objection to the proposal, subject to a requirement that the current dropped kerb is raised to form a normal height kerb prior to occupation.
- 6.18 Given that the Council's own adopted parking standards allow for a reduction in parking spaces and that the highway authority do not object to the proposals it is considered that the impact on the local highway network would be negligible and would not be harmful to highway safety and that there is no justification to refuse planning permission on highway grounds.

6.19 In summary it is considered that the scheme would be acceptable from a highway perspective and complies with policies LPD 57, LPD 61, the Council's Parking Provision for Residential and Non-Residential Developments SPD and the relevant guidance contained within Section 9 of the NPPF.

Air Quality

6.20 A Construction Emission Management Plan has been requested to be conditioned by the Council's Scientific Officer, to mitigate any significant adverse impacts arising from the proposed development during the undertaking of the works. The impact of the proposed development on air quality is considered to be acceptable and would be in accordance with Policy LPD11 of the LPD subject to this condition.

Other Matters

6.21 It is acknowledged that objections have been received. In terms of assessing the proposal, the potential impact of the current garaging carries weight as this could result in some impacts on local amenity as they are in commercial use. Whilst objections on the grounds of the scheme being too dense with below standard internal dimensions have been raised the application is up to four units only and given the space available this does not represent over-development. Should that number of units not be able to achieve the required internal space standards then a lesser number of units would need to be proposed at the reserved matters stage. This would be permissible as the application seeks approval for up to four studio apartments.

6.22 Objections have been received on the grounds of lack of parking, congestion and road safety and these issues have been discussed above.

6.23 The issue of lack of access to the rear and lack of bin storage have been raised; however, the plans submitted are indicative only and these elements could be included at the reserved matters stage.

6.24 Objections have been received on the grounds of residential amenity. However, as the scheme is in outline only at this stage the assessment is limited to requiring a convincing case that the development could potentially take place without undue harm to amenity. This case has been made and therefore there are no grounds to refuse on residential amenity.

6.25 The issues raised about disruption during the construction phase would be adequately addressed by a construction management condition.

6.26 An objection has also been raised on the grounds of visual amenity. The indicative plans suggest a building could be erected which would be appropriate to the site and surroundings.

6.28 A further objection has been received on the grounds that the road is dark. Bennett Road is an adopted local distributor road serving a number of residential properties and the wider Mapperley area. Permission could not therefore be reasonably refused on these grounds.

7.0 Conclusion

- 7.1 For the reasons set out above, the proposed development is considered acceptable in principle, occupying a sustainable location and having regard to the indicative details submitted that a suitably designed scheme could be designed at the relevant reserved matters stage. Issues of visual amenity, residential amenity and highway safety have been considered and present no reasonable grounds to resist the proposal. For the reasons set out above, the proposed development accords with the aims set out in the NPPF, Policies A, 2, 8 10 of the Aligned Core Strategy and Policies LPD11, LPD32, LPD33, LPD35, LPD37, LPD40, LPD57 and LPD61 of the Local Planning Document and the Parking Provision for Residential and Non-Residential Developments SPD. It is therefore recommended that outline planning permission is granted.

Recommendation: Grant Planning permission subject to Conditions:

- 1 Approval of the details of access, layout, scale, landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
- 2 Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
- 3 The development relates to the Existing Site Plan Drawing No. 403.01 received 14 July 2023.
- 4 Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site-specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
- 5 No part of the development hereby permitted shall be brought into use until the existing site access on Bennett Road that has been made redundant and is permanently closed and the access crossing is reinstated as footway and full height kerbs in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 For the avoidance of doubt.
- 4 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality in the Borough and takes into consideration the National Planning Policy Framework and Policy LPD11.
- 5 In the interests of highway safety and in accordance with policy LPD61.

Reasons for Decision

In the opinion of the Borough Council the proposed development is acceptable in principle, would be visually acceptable and in keeping with the character of the area and would result in no harm to the amenities of the occupiers of neighbouring properties. The proposal would also be acceptable in terms of highway safety. The proposal is therefore in accordance with Sections 2, 5, 8, 9, 11 and 12 of the NPPF, Policies 2, 8 and 10 of the ACS, policies LPD11, LPD32, LPD33, LPD35, LPD37, LPD40, LPD57 and LPD61 of the Local Planning Document.

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The proposal makes it necessary to reinstate the redundant vehicular crossing over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80. to arrange for these works to be carried out.

The proposed development will include the demolition of the existing buildings which could contain asbestos materials. The Control of Asbestos Regulations 2012 (CAR 2012) require that suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present before demolition or other work is carried out. CAR 2012 requires that a suitable written plan of work must be prepared before any work is carried out and the work must be carried out in accordance with that plan. If asbestos is not managed appropriately then the site may require a detailed site investigation and could become contaminated land as defined in Part 2A of the Environmental Protection Act 1990.

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 at www.gedling.gov.uk.