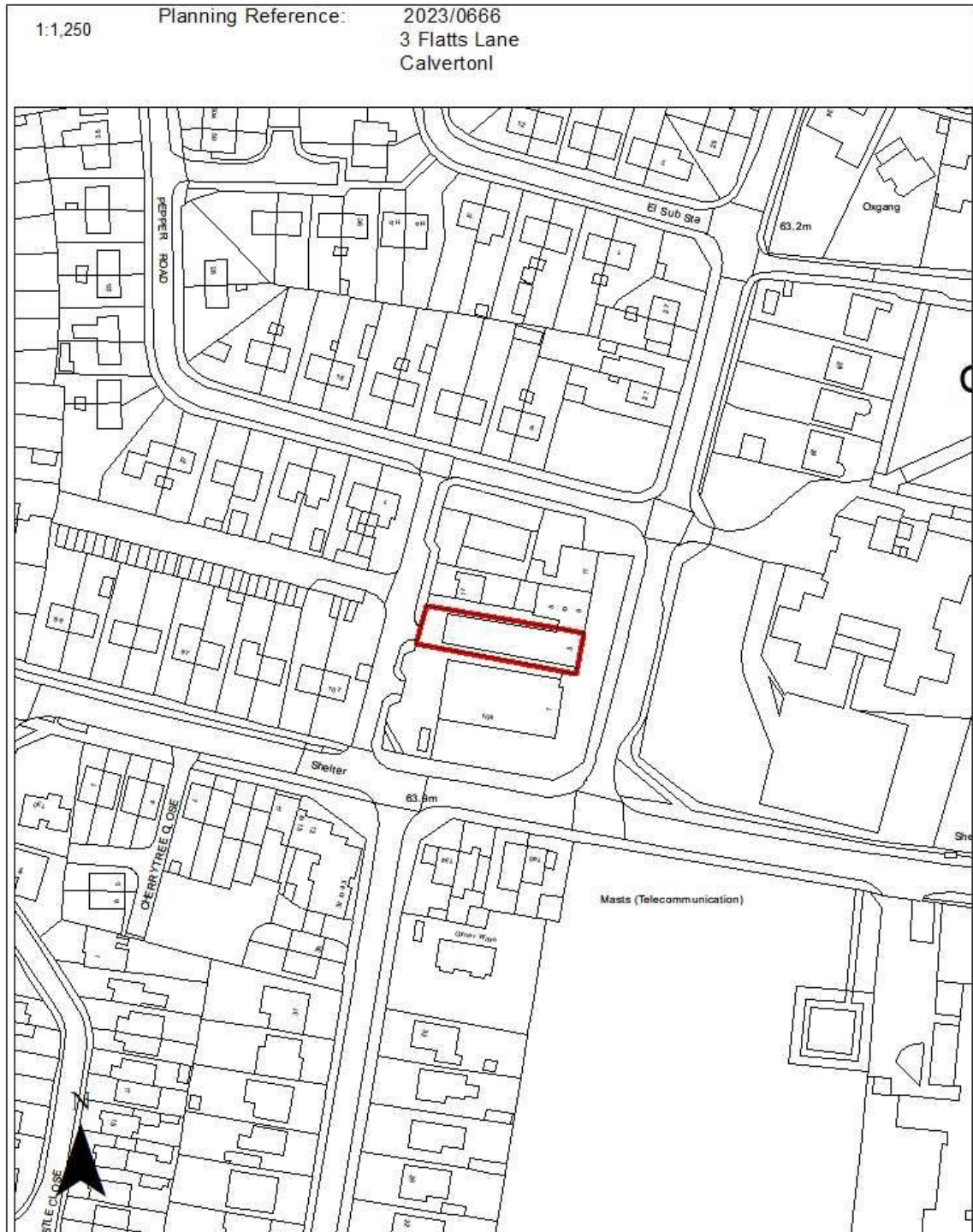




Planning Report for 2023/0666



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.
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Report to Planning Committee

Application Number:	2023/0666
Location:	3 Flatts Lane Calverton
Proposal:	Construction of first floor extension to rear of shop and creation of 3 x apartments in the extension and existing first floor area.
Applicant:	Mr. Kanagaratnam Paramanathan
Agent:	Mr. Alex Ordog
Case Officer:	Joe Davies

The application has been referred to Planning Committee by the Planning Delegation Panel so the impacts on amenity and highways , parking and safety, can be duly considered.

1.0 Site Description

1.1 This site comprises an existing retail unit with vacant first floor space above. To the south of the site is the property at 109 Collyer Road, which is a Co-op store. To the north are retail units with flats to above and north-west is a modern detached dwelling at 17 Flatts Lane. To the east and west of the site is the public highway.

2.0 Relevant Planning History

- 2.1 2022/0668 - First floor rear extension and re-configuration to create 4 flats – Withdrawn (29.07.2022)
- 2.2 2005/0212 - Reposition existing shop front plus 3 No safety bollards to forecourt – Unconditional permission (08.04.2005)
- 2.3 2003/2097 - Shop/garage extension to ground floor, flat extension to first floor – Unconditional Permission (12.12.2003)
- 2.4 95/0064 - Erection of 1.2 metre diameter satellite dish – Unconditional Permission (10.03.1995)

3.0 Proposed Development

- 3.1 Planning permission is sought for the creation of two flats above the existing shop and a dwelling to the rear, facilitated by a first-floor rear extension that would have a pitched roof to match the existing building. The extension would be constructed using matching materials. The extension would be 7.77 metres in length and 8.65 metres in width. It would have the same eaves and ridge height as the existing shop building. The dwelling to the rear of the site would accommodate 3 bedrooms, a study and a shower room at first floor level. At ground floor level, it would accommodate a bedroom, a kitchen, a shower room and a living room. There would also be a bin store at ground floor level between the dwelling and the shop.
- 3.2 In terms of the 2 first floor flats above the existing shop, these would both be accessed by staircases to the side of the shop. The rear-most flat would accommodate 2 bedrooms, a kitchen, a living room and a shower room. The front flat would accommodate 2 bedrooms, a kitchen/dining room, a shower room and a living room. Four parking spaces would be provided to the rear of the site.

4.0 Consultations

4.1 Calverton Parish Council - have raised the below concerns:

- Overdevelopment for the area
- Concerns over parking, with no additional spaces being provided and existing spaces at the property still being required for staff parking and access to the rear still being required for deliveries.
- Lack of availability of on-street parking in the area and increased pressure on the spaces near the neighbourhood centre on Flatts Lane intended for users of the busy retail area and adversely affecting the viability of the businesses due to lack of parking.
 - As the access is bound by two boundary fences, there is only space for three parking spaces in order to meet the requirements of the GBC SPD – Parking Provision for Residential and Non Residential Developments: Supplementary Planning Document (SPD) February 2022
- The Parking spaces shown in the plans also restrict the access to the entrances to the properties and the service access to the retail shop and bin stores.

4.2 Nottinghamshire County Council – Local Highway Authority

Raised no objections subject to conditions regarding the parking provision being provided prior to occupation, widening of the dropped kerb and drainage. They also suggest an informative regarding the dropped kerb and relocation of a lighting column.

4.3 Neighbours were consulted via letter and a site notice was placed outside the site. One response was received raising concerns regarding parking provision.

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 - 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 131 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).

5.6 Calverton Neighbourhood Plan 2017

Policy ISF1: Sustainable Transport – states that opportunities for the use of sustainable modes of transport must be maximised.

Policy ISF2: Car Parking – states that any new development outside of the Village Centre will only be permitted where it has sufficient parking provision.

Policy ISF3: Highway Impact – sets out the criteria for assessing highway impact.

Policy BE1: Design & Landscaping – states that all development on the edge of Calverton must provide soft landscaping on the approach into the village and sets out criteria to achieve this.

Policy BE4: Parking provision – identifies the level of parking provision that should be provided for proposals.

6.0 Planning Considerations

The main considerations in determining this application are as follows:

- The principle of the development;
- Impact on visual amenity;
- Impact on residential amenity;
- Air quality;

- Off-street parking provision.

Principle of the Development

- 6.1 Given the location of the application site within a built-up area, predominantly residential and outside the Green Belt, it is considered that the principle of the development is acceptable in this location, subject to other material planning considerations, including the design of the development and impact on the character of the area; residential amenity and highway safety, including parking.

Design and the impact upon visual amenity

- 6.2 The proposed flats above the existing shop would be in an existing part of the building where there would be no significant external alterations that would be visible from the street scene. The impact of these on design and visual amenity of this part of the development is therefore considered to be acceptable.
- 6.3 In terms of the rear part of the development, this would result in a first-floor extension above the existing single storey rear part of the building and would also result in some elevational alterations at ground floor level. The proposed extension would use matching materials and the roof would also match the roof on the existing two storey part of the building, both in terms of scale and design. The ground floor elevational alterations would be minor and more in keeping with the residential design of the neighbouring property to the north at 17 Flatts Lane, than the existing commercial roller shutter doors. The impact of this proposed development on design and visual amenity is therefore considered to be acceptable.
- 6.4 Having regard to the above, it is considered that the application complies with policy 10 of the Aligned Core Strategy, Policy LPD 32 of the Gedling Local Planning Document, Policy BE1 of the Calverton Neighbourhood Plan and guidance within the NPPF and the impact of both the proposed extension and the proposed dwelling on design and visual amenity is considered to be acceptable.

Residential amenity

- 6.5 In terms of the impact on residential amenity, a previous application at the site was withdrawn over concerns due to its impact on 17 Flatts Lane. The proposal has now been amended, so that the first-floor addition to the rear is in line with 17 Flatts Lane and does not extend beyond the rear of this property. With these amendments, it is considered that it would not have an overbearing impact on number 17, with that property having no side windows facing the proposed development. Furthermore, the only additional windows facing this property would either be similarly positioned to existing windows or would be roof lights angled upwards. The impact of the proposed development on 17 Flatts Lane would, therefore, be acceptable.
- 6.6 In terms of the impact on other properties, the front part of the development occupies an existing building, with no increase in built footprint and similarly positioned windows and this would therefore have no significant impact on neighbour amenity over the existing situation. In terms of the rear first-floor

addition, to the south of this is a service yard for the co-op store and there would therefore be no overlooking or loss of light to the south. In terms of the impact on properties to the rear or east, these properties are set a much further distance from the site due to the separation provided by the road. Furthermore, they are also offset. The impact of the proposed development on these properties in relation to loss of light and overlooking is therefore also considered to be acceptable.

- 6.7 In terms of the impact on the amenity of future occupiers, all habitable rooms would appear to receive sufficient natural light, the rooms would appear to be of a suitable size and although there would be no private outdoor amenity space, this is not considered to be a sufficient justification to refuse the application, particularly given the amount of public open space in close proximity to the site. Furthermore, the applicant has confirmed that deliveries are currently made to the front of the shop and that this would remain the case following the proposed development. It is therefore considered that shop deliveries wouldn't have a significant impact on residential amenity.
- 6.8 The impact of the proposed development on residential amenity is therefore considered to be acceptable and in accordance with policies LPD32 and LPD35.

Highway Safety

- 6.9 The Local Highway Authority have raised no objection to the proposed development subject to a number of conditions that will be imposed as part of any planning permission. Four parking spaces are shown on the application plans. The Parking Provision for Residential and Non-Residential Developments SPD identifies that the flats above the existing shop would require 0.8 of an unallocated space each and the 2-storey dwelling to the rear would require 2 spaces and 0.2 of an unallocated space. Therefore, the proposed development, providing 4 spaces, would comply with minimum standards. Whilst there is a fence on either side of parking spaces, the 11 metre width of the property frontage would provide adequate space. Although there is currently hard standing to the rear of the building this is fenced and gated off; however, a frontage of 11m would provide adequate space for the parking of 4 vehicles.
- 6.10 Although the Parish Council have raised concerns about parking for staff and deliveries, the existing space does not appear to be currently open on a permanent basis for this and there are not considered to be any significant issues in relation to car parking in the immediate locality.
- 6.11 The applicant has also confirmed since the application was referred to Planning Committee, that the shop only gets a few deliveries per week and any deliveries are mostly cash & carry purchases delivered in the shop manager's own vehicle. They also confirmed that deliveries are currently made to the front of the shop rather than the rear and this would remain the case following the proposed development.
- 6.12 Furthermore, the site is in the centre of Calverton close to public services and facilities. It is therefore considered that a refusal on highway safety and parking

provision grounds could not be justified. The proposal would therefore have no significant adverse impact on highway safety in accordance with the NPPF, Policies LPD 57, LPD 61 of the LPD, Policy BE4 of the Calverton Neighbourhood Plan and the Parking Provision for Residential and Non-Residential Developments SPD.

7.0 Conclusion

- 7.1 For the reasons set out above, it is considered the proposed development would be acceptable in principle, it would be in keeping with the character of the area; it would have no undue impact on residential amenity; it would have adequate parking and not be detrimental to highway safety. The proposal is therefore in accordance with the NPPF, Policies 8 and 10 of the ACS; policies LPD11, LPD32, LPD35, LPD 40, LPD 57 and LPD61 of the Local Planning Document and policies BE1, BE4, ISF1, ISF2 and ISF3 of the Calverton Neighbourhood Plan accordingly planning permission should be granted.

Recommendation Grant Planning Permission subject to the following conditions: -

Conditions

- 1 The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
- 2 This permission shall be read in accordance with the application form and following list of approved drawings:
 - Proposed Plans - Site and Location Plan - #PIn-A.02.1.1;
 - Proposed Plans - Ground Floor Plan - #PIn-A.02.1.2;
 - Proposed Plans - First Floor - #PIn-A.02.1.3;
 - Prop'd Elev. - North - #PIn-A.02.2.1;
 - Prop'd Elev. - West - #PIn-A.02.2.2; and
 - Prop'd Elev. - South - #PIn.A.02.2.3.

The development shall thereafter be undertaken in accordance with these plans/details.

- 3 The development hereby approved shall be carried out using materials as set out in the application.
- 4 No part of the development hereby permitted shall be brought into use until the parking areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number PIn-A.02.1.1. 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.
- 5 No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing has been widened and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

- 6 No part of the development hereby permitted shall be brought into use until the parking areas are constructed with provision to prevent the unregulated discharge of surface water from the parking area(s) to the public highway in accordance with details first submitted to and approved in writing by the LPA. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 7 No part of the development hereby permitted shall be brought into use until the lighting column has been relocated at the applicant's expense and relocated in accordance with the Highway Authority specification.
- 8 The flat roof area between the first-floor rear extension and the existing building shall at no time be used as a balcony or roof terrace.

Reasons

- 1 To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
- 2 For the avoidance of doubt.
- 3 To ensure that the character of the area is respected and to comply with policies ASC10, LPD26 and LPD32.
- 4 To ensure that the dwelling hereby permitted has sufficient parking provision in accordance with Policies LPD 57 and LPD 61.
- 5 To ensure that the proposed development does not result in an adverse impact on highway safety in accordance with Policy LPD 61.
- 6 To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to ensure that the proposed development does not result in an adverse impact on highway safety in accordance with Policy LPD 61.
- 7 To facilitate the dropped kerb access to be installed.
- 8 To prevent unacceptable loss of privacy to neighbouring properties, in the interests of neighbour amenity in accordance with Policies LPD 32 and LPD 35.

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 (2023).

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.

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. Where the Council's view is that CIL is payable, full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: www.planningportal.gov.uk

The development makes it necessary to widen and improve the vehicular crossing over the 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>

The proposal makes it necessary to relocate the lighting column on 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.