

Application Number: 2015/0444
Location: Carlton And District Constitutional Club, Kenrick Street, Netherfield, Nottinghamshire.



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Report to Planning Committee

Application Number:	2015/0444
Location:	Carlton And District Constitutional Club, Kenrick Street, Netherfield, Nottinghamshire.
Proposal:	Proposed Conversion of the Carlton Constitutional Hall into 10 apartments.
Applicant:	ALB Investments Ltd
Agent:	Blueprint Architecture
Case Officer:	Ashley Langrick

This application is presented to the Planning Committee as a ‘major’ development proposal.

Site Description

The application site relates to the former Carlton and District Constitutional Club which presently lies in a vacant condition having suffered from a decline in private members and therefore funding.

The premises are situated on Kenrick Street within the urban residential area of Netherfield and directly on the edge of the Netherfield District Shopping Centre. Kenrick Street is predominantly residential in nature with some commercial properties towards the junction with Wright Street.

The site is located within close proximity of Carlton train station and a bus stop is positioned on Wright Street. No off street parking provision is provided in this instance and the limited level of on street parking in the area is restricted to resident permit holders only.

Proposed Development

Full planning permission is sought for the change of use of the vacant Carlton Constitutional Hall to residential accommodation comprising 10no. 1 bedroom self-contained apartments.

Minor external alterations are proposed to the existing openings on the building to facilitate the change of use and these are all focussed on the elevation which fronts Kenrick Street, apart from the removal of one window in the rear elevation and its replacement with a door.

Internal alterations consisting of subdivision are proposed in order to accommodate the proposed 10 apartments.

A self-contained secure cycle storage facility is provided within the extent of the existing building, both of which are accessed via a shared access off Midland Avenue.

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

Consultations

Nottinghamshire County Council (Highway Authority) – The proposed apartments do not have any off street car parking spaces and the resident parking scheme opposite the site is fully subscribed. In view of no parking provision the cycle store should be made available for cycles only and conditioned accordingly to ensure that it is available at all times. Acknowledging the sites location in relation to Netherfield shopping centre and public transport provision in the form of buses and trains, the Highway Authority has no objection subject to the inclusion of the following planning condition:

No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on drawing no CLB/CCKS/2015/0/003 REV has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.

Reason: To ensure that the cycle store is available for storage of cycles.

The Highway Authority also requires the imposition of a planning condition to prevent windows and doors from opening onto the public highway.

Nottinghamshire County Council (Strategic Planning) – Highlight the relevant national policy background by way of the National Planning Policy Framework, with particular regard towards the promotion of sustainable growth and promoting healthy communities. From a minerals perspective the site lies within a Mineral Safeguarding and Consultation Zone for sand and gravel, however it is acknowledged that the site is brownfield in nature and the building is located in between existing residential properties. The development should be designed, constructed and implemented to minimise the creation of waste and maximise the recycling of waste arising from the development.

With regard to ecology, it is the County Council's advice that a Bat Scoping Survey of the building should be carried out to look for evidence of, or potential for, protected species. In addition, a standard condition should be used to control vegetation clearance during the bird nesting season.

Nottinghamshire County Council (Education) – The County Council is not seeking an education contribution in this instance.

Severn Trent Water – no comments received.

Public Protection – no comments received.

Neighbour Consultation - Local residents have been notified by letter and a site notice erected – I have received two representations. The concerns raised are as follows:

- Do not want the future occupants to use the parking spaces allocated in the current permit holders' scheme;
- There is already a massive parking issue on Chandos Street and the flats would increase this issue;
- The noise of potentially 20 extra people living in these flats should be considered;
- Fully supportive of empty buildings being developed and the area being tidied up but concerned about more social housing in the area in terms of antisocial behaviour and effect on house prices;
- Concerned about security as the 10 apartments will have access to the back yard.

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.'

Gedling Borough adopted the Aligned Core Strategy (ACS) on 10th September 2014 and this now form part of the Development Plan along with certain policies saved contained within the Gedling Borough Council Replacement Local Plan referred to in Appendix E of the ACS.

The following ACS policies are relevant:

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity

Policy 10 of the ACS looks at design and enhancing local identity and reflects the guidance contained in both the NPPF and the Replacement Local Plan policies.

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

- Policy ENV1: Development Criteria
- Policy H7: Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes
- Policy H11: Conversions and Change of Use to Residential
- Policy H16: Design of Residential Development
- Policy C4: Loss of Community Facilities

Criterion a, c and d of Policy ENV1 of the Replacement Local Plan state that planning permission will be granted for development provided it is in accordance with other Local Plan policies and that proposals are, amongst other things, of a high standard of design which have regard to the appearance of the area and do not adversely affect the area by reason of their scale, bulk, form, layout or materials. Development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles. In this regard, particular attention will be paid to the needs of, inter-alia, cyclists. In addition, ENV1 requires development proposals to consider crime prevention measures including the introduction of natural surveillance.

Policy H11 of the Replacement Local Plan is permissive of changes of use of buildings to residential within the urban area provided all dwellings are self-contained with independent access arrangements, the proposal would not cause unacceptable harm to the amenities of nearby residents and appropriate provision of parking is made.

Policy C4 of the Replacement Local Plan indicates that planning permission will not be granted if development would lead to the loss of community facilities resulting in increased car journeys to the next available facility.

In making a recommendation in relation to this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this proposal are: -

- a) The principle of developing the site;
- b) Whether the design of the development is acceptable;
- c) The highway implications of the development, including the lack of off street parking provision;
- d) Whether there would be an adverse impact on neighbouring properties;
- e) Other matters raised by local residents/consultees.

Each of the above aspects are considered in detail below.

The Principle of the Development

The site is located within the urban residential area of Netherfield and directly on the

edge of Netherfield District Shopping Centre. The site is also within walking distance of public transport links to Nottingham City by way of train or bus.

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. The proposal therefore accords with the requirements of the NPPF and Policy 2 of the ACS which adopts a strategy of urban concentration with regeneration.

As the proposal is for the conversion of the Carlton Constitutional Hall into 10 apartments it is necessary to consider the requirements of Policy C4 of the Replacement Local Plan which states that planning permission will not be granted if development would lead to the loss of community facilities resulting in increased car journeys to the next available facility.

The reasoned justification at paragraph 6.25 of Policy C4 refers to retaining facilities such as public houses in 'rural' locations. Similarly, the NPPF refers to retaining community facilities such as public houses in 'villages'. The proposed development involves a loss of a community facility within the urban residential area of Netherfield, not within the local centre or within the rural area. I therefore do not consider the loss of the Constitutional Hall would lead to the loss of a community facility in a rural location. Moreover, being directly adjacent to Netherfield District Shopping Centre there are numerous similar establishments within close proximity to the site such that its loss would not result in increased car journeys to the next available facility. The proposal is therefore not considered to conflict with the requirements of Policy C4.

Given the location of the development within the established urban residential area of Netherfield there is no objection in principle to the conversion of the building for residential purposes. It is also my opinion that the development would be in a sustainable location delivering economic development that would provide a wider choice of homes to serve the local community. The redevelopment of the site is therefore considered acceptable in principle.

Whether the design of the development is acceptable

Minor external alterations are proposed to the existing building in order to facilitate its change of use for residential purposes. Apart from the removal of one window in the rear elevation and its replacement with a door, all of the changes are focussed on the elevation which fronts Kenrick Street. The changes comprise of the replacement of some of the existing windows in order to receive smaller windows and doors with the surrounding brickwork made good.

The existing building is unremarkable in its design and appearance, therefore the relatively minor physical external works proposed are not considered to adversely affect the area by reason of its scale, bulk, form, layout or materials. The proposal complies with the relevant policies of the Development Plan insofar as its appearance is concerned.

Having considered the overall design of the development and the constraining factors of the site, it is my opinion that the proposal would satisfy the design criteria

of Policies ENV1 of the Replacement Local Plan and Policy 10 of the ACS.

Should planning permission be forthcoming a condition would be attached requiring the external materials to be used to match the existing premises.

The highway and parking implications of the development

The proposal does not provide any off street car parking spaces to serve the apartments and there are no on street parking facilities available on Kenrick Street, apart from a fully subscribed resident permit holders' scheme.

Policy H11 of the Replacement Local Plan, amongst other things, requires an appropriate provision for parking. In this instance, despite the absence of any on or off street parking provision being available, significant weight should be afforded to the site's location within walking distance of Carlton Train Station and a bus stop on Wright Street which both provide regular transport services into Nottingham and beyond. Moreover, the lawful use of the premises as a Constitutional Club provides a trade-off in terms of similar parking and transportation considerations.

In addition, the application site is within the urban residential area of Netherfield and lies directly on the edge of the Netherfield District Shopping Centre which provides a good range of services and facilities for the future occupants.

In view of the absence of any car parking provision, the Highway Authority requires the proposed cycle store to be made available for cycles only and conditioned accordingly to ensure that it is available at all times in order to cater for the needs of cyclists. Otherwise the Highway Authority states that it has no objection on car parking grounds and no other concerns relating to highway safety are raised.

I concur with the Highways Authority's view and am of the opinion that with regard to highway and parking matters, the proposal complies with the relevant requirements of Policies ENV1 and H11 of the Replacement Local Plan.

Should planning permission be forthcoming, conditions will be imposed to control the detailed arrangements of the individual cycle stores and to ensure that the facility is made available for cycle storage at all times.

Residential amenity

The application seeks planning permission to change the use of the existing building. No additional extension and no new window openings are required on the rear elevation to facilitate its use for residential purposes. In this regard, no additional impact on residential amenity in terms of massing, overshadowing or overlooking is introduced by this development than would otherwise be the case under its present lawful use.

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

A neighbour has objected to the proposal with one of the matters raised being the potential noise created by the future occupants. The use of the building for residential purposes needs to be balanced against the existing lawful use of the premises as a Constitutional Hall and, in this context, I do not feel that the proposal would result in a material adverse impact.

Other matters raised by local residents/consultees

A local resident has raised concerns about the introduction of more social housing in the area in terms of antisocial behaviour and effect on house prices. In response to this matter, I can confirm that the development proposed has not been formally submitted as an affordable housing scheme and, in any case, tenure in this context is not a material planning consideration.

With regard to antisocial behaviour, there is no evidence to suggest that this proposal would result in a direct increase in problems that may occur in the area. In addition, the use of the premises for residential purposes, in particular the use of the back yard to access the bin store and the secure cycle storage facility, will increase the level of natural surveillance in the area and thus comply with Policy ENV1 (d) of the Replacement Local Plan.

Concern in relation to the impact on property prices is not a material planning consideration.

With regard to ecology considerations, the Strategic Planning Team at Nottinghamshire County Council advice that a Bat Scoping Survey of the building should be carried out to look for evidence of, or potential for, protected species. However, I am of the opinion that there is no justification to require a survey in this instance owing to the sound physical appearance of the building and that it has not been vacant for a significant number of years. The proposal also seeks to make very minimal physical changes to external fabric of the building. Bats are also protected under separate legislation in the form of the Wildlife and Countryside Act 1981 and in this context an informative is recommended.

Conclusion

Given all of the above, it is considered that the change of use would provide sustainable development that would make viable use of a presently vacant building and in doing so provide a wider choice of homes to serve the local community. There are no highway safety implications as a result of the development and minimal changes to the external appearance of the building are proposed. I am of the opinion that the proposed development would comply with the relevant planning policies that are set out above and on this basis I recommend that Planning Committee grants planning permission.

Recommendation:

Grant Conditional Planning Permission:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be built in accordance with the details as set out within the application forms received on the 11th May 2015, the plans received on the 18th June 2015, and the Design and Access Statement received on the 18th June 2015.
3. No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on drawing no CLB/CCKS/2015/0/003 Rev A has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.
4. The precise method of storage of cycles within the dedicated building shall be carried out in accordance with the details submitted by email on 13th August 2015. The cycle store shall be provided in accordance with these details for the life of the development unless otherwise agreed in writing by the Borough Council.
5. No doors or windows shall open out/protrude over the adopted highway, in contravention of Section 153 of the Highways Act 1980.
6. The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing building.

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 that the cycle store is available for storage of cycles.
4. To define the terms of this permission and in the interests of supporting sustainable transport.
5. In the interests of pedestrian safety.
6. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 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 sustainability viewpoint. The proposal therefore accords with Policy 10 of the Aligned Core Strategy (2014) and

ENV1, H7, H11, H16 and C4 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Notes to Applicant

Should any bat/s be found during demolition, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats covering 'reckless' damage or disturbance to a bat roost.

The resident parking scheme in operation opposite the site on Kenrick Street is fully subscribed and no further permits can be issued at present.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During consideration of the planning application inconsistencies with the plans submitted have been clarified with the Agent and detailed concerns over the use of the dedicated cycle storage facility have been addressed to ensure a satisfactory scheme and a favourable recommendation.