



**Ashfield**  
DISTRICT COUNCIL  
MAP SCALE 1: 1250  
CREATED DATE: 14/02/2019

**COMMITTEE DATE** 28/02/2019                      **WARD** Hucknall Central

**APP REF** V/2018/0734

**APPLICANT** G Field

**PROPOSAL** Outline Application With All Matters Reserved for Demolition of Existing Buildings and Construction of 9 Dwellings With Associated Access, Car Parking and Amenity Space

**LOCATION** Sunbeam House, West Street, Hucknall, Nottingham, NG15 7BW

**WEB-LINK** <https://www.google.com/maps/@53.0381744,-1.2073648,19z>

**BACKGROUND PAPERS** A, B, C, D, E, J & K

App Registered: 20/11/2018

Expiry Date: 14/01/2019

*Consideration has been given to the Equalities Act 2010 in processing this application.*

*This application has been referred to Planning Committee by Cllr. K Rostance on the grounds of highways and conservation.*

### **The Application**

This is an outline application, with all matters reserved, for the demolition of the existing buildings, and the erection of nine residential properties, with associated access, car parking and private amenity space.

### **Consultations**

Site Notices have been posted together with individual notification of surrounding residents.

The following consultation responses have been received:

### ***Resident Comments:***

3x written representations have been received from local residents in respect of the following:

- Parking issues along West Terrace
- Resident parking permits should be issued for West Terrace
- Demolition hours are unreasonable

- Site access from Yorke Street should be closed off

***ADC Planning Policy:***

The location for residential development is considered to be acceptable in policy terms, however there are significant concerns in the respect of the loss of a Local Heritage Asset in a key location within a proposed Conservation Area. A scheme of development involving the re-use of the building which retains its current form and integrity and conserves the heritage asset for future generations would be favourable.

***ADC Conservation:***

Objections are raised in respect of the proposal. The former Co-Op bakery is considered to be a local heritage asset. Its demolition would result in the total loss of significance of the building. Its demolition and lack of redevelopment proposals is considered to neither preserve or enhance the setting of the Grade II\* Listed church. The proposals neither sustain or enhance the significance of the building or the setting of the church, or attempts to put the building to a viable use, or have been suitably justified.

In taking a balanced judgement, the proposals fail to comply with the policy requirements of the NPPF or the Planning (Listed Buildings and Conservation Areas) Act 1990.

***ADC Environmental Health:***

No objections to the proposed development, however a condition is recommended requesting a noise impact assessment to protect the amenity of future occupiers, due to the proximity of the site to a B2 use.

***ADC Drainage:***

No known drainage issues with the site.

***NCC Highways:***

Whilst this is an outline application with all matters reserved, the access should nevertheless be considered. The Highways Authority would not be able to support the scheme based on the current drawings submitted. The access details are geometrically substandard, unsafe as well as impossible to implement.

***Historic England:***

No comments to offer, based on the information available to date.



## **Policy**

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

### **National Planning Policy Framework (NPPF) 2018**

- Part 2 – Achieving Sustainable Development
- Part 5 – Delivering a Sufficient Supply of Homes
- Part 8 – Promoting Healthy and Safe Communities
- Part 9 – Promoting Sustainable Transport
- Part 11 – Making Effective Use of Land
- Part 12 – Achieving Well Designed Places
- Part 16 – Conserving and Enhancing the Natural Environment

### **Ashfield Local Plan Review (ALPR) 2002**

- ST1 – Development
- ST2 – Main Urban Area
- EM5 – Protection of Existing Employment Sites and Buildings
- HG5 – New Residential Development

### **Supplementary Planning Guidance Notes**

- Residential Design Guide SPD 2014
- Residential Car Parking Standards SPD 2014

### **Draft Hucknall Conservation Area 2018**

### **Relevant Planning History**

#### **V/2010/0651**

Details: Outline Planning Application for the Conversion, Extension and Alteration of Factory to Form 12 Apartments

Decision: Refusal – Appeal Dismissed due to poor outlook from several units and lack of daylight to another unit.

Date: 10/03/11

#### **V/2012/0094**

Details: Outline Planning Permission for the Conversion, Extension and Alteration of Factory to Form 11 Apartments

Decision: Refusal – Appeal Dismissed due to poor standards of amenities for future occupants.

Date: 23/05/12

#### **V/2013/0443**

Details: Conversion and Extension of Existing Factory to Create 7 Apartments with Associated Access and Parking

Decision: Conditional Consent

Date: 04/10/13

**V/2016/0478**

Details: Conversion of Existing Factory to Create 7 Apartments with Associated Access and Parking

Decision: Conditional Consent

Date: 05/09/16

**V/2017/0550**

Details: Prior Notification of Proposed Demolition

Decision: Demolition Prior Notification – Approval Not Required

Date: 18/10/17

13 February 2019 Article 4(1) Direction made removing permitted development rights to demolish buildings without the benefit of planning permission.

**Comment:**

The current application seeks outline planning consent, with all matters reserved, for the demolition of the existing buildings, and the erection of nine, three bedroom properties, with associated access, car parking and private amenity space.

The application site is located within the main urban area of Hucknall, and is located on the corner of West Street and West Terrace, and comprises of a former bakery/factory, with ancillary offices of Victorian construction with later additions.

The building is sited prominently on a corner plot with no break between main elevations and the pavement to the north and west. To the north of the site is West Street, and immediately to the east, a row of four terraced residential properties. A single storey extension to the eastern elevation partly forms the boundary with the residential property 13 West Street.

To the south of the site is a vacant garaging and parking area, and an industrial style unit which forms a boundary with residential properties to the east of the site, sited on Yorke Street. South of the site's boundary is a large detached residential bungalow known as Springside, which is sited some 10m from the application site, whilst to the west of the site is West Terrace, with terraced style residential properties facing across the highway towards the application site.

Whilst the application site falls within the setting of the Grade II\* Church of St Mary Magdalene (NHLE 1217611), the former Co-Op bakery building on the site is also considered to be locally significant, and is listed as a locally listed non-designated heritage asset.

The application site also falls within the proposed Hucknall Conservation Area, and is identified as being a positive building.

The main issues to consider in this application are the principle of development, and the impacts of the development on designated and non-designated heritage assets, the character and appearance of the area, residential amenity, and highways.

***Principle of Development:***

The application site is located within the main urban area of Hucknall, where the principle of development is generally considered acceptable, as set out within policy ST2 of the ALPR 2002. This is providing that amongst other matters, the proposal does not adversely affect the character, quality, amenity or safety of the environment, and will not adversely affect highways safety.

Furthermore, policy HG5 of the ALPR 2002, states that residential development will be permitted where the amenity of neighbouring residents is protected, adequate private garden space is provided, parking facilities are provided, and its design is acceptable in terms of appearance, scale and siting.

The Council's 2017-18 Housing Monitoring Report identifies that Ashfield District has a housing land supply of 3.92 years. Consequently, under the NPPF 2018, the policies which are most important for determining the application are out of date in relation to housing supply. The application site is not identified as a protected area or asset of particular importance where the Framework sets out this presumption should not apply.

Paragraph 11 of the NPPF 2018 sets out the presumption in favour of sustainable development, and that the tilted balance should be applied to decision making in these circumstances. This means that planning permission should be granted for development unless any adverse impacts of doing so, would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate that development should be restricted.

It is acknowledged that permission has previously been granted on the site for the conversion of the existing Co-Op bakery building into seven apartments. The principle of residential development on this site, has therefore already been established.

***Impact Upon the Character and Appearance of the Area & Heritage Assets:***

Sunbeam House, formerly known as Astra Products, was built circa. 1920 as the Hucknall Torkard Industrial Provident Society (Co-Operative) Bakery. The application site, including the Co-Op bakery building are located within the setting of the Grade II\* Listed church of St Mary Magdalene, which is located directly opposite the site. Furthermore, the Co-Op bakery building is considered to be a non-designated local heritage asset by the Local Planning Authority.

In combination with the above, it is pertinent to note that the application site also falls within the proposed Hucknall Conservation Area. The Council is confident that the

proposed conservation area is worthy of designation, and approval was given by Councillors at Cabinet in October 2018 to carry out public consultation on the potential designation. This public consultation ended on the 7<sup>th</sup> January 2019, with the Council now in the final stages of considering its designation.

Buildings that are considered to positively contribute to the character and appearance of the area have been identified for the purpose of the consultation and the subsequent Conservation Area appraisal. Sunbeam House has been identified as a building which does just that.

The proposed conservation area is also considered to form a material planning consideration in the determination of this application, and at the very least, should be considered in the interest as a non-designated heritage asset. Whilst the applicant disagrees with this assertion, this interpretation is consistent with the view taken by a Planning Inspector on a recent appeal decision in Lewisham, London (ref APP/C5690/W/17/3172093).

The Co-Op bakery building is considered to have heritage value in both its architectural and historic interest and significance in what it represents. As an early 20<sup>th</sup> century industrial building, it is of a specific building type. Its brick elevation, fenestration, variety in roof pitch and canted corner provides interest in the streetscape, and since its construction, the exterior, particularly on West Street, has remained largely unaltered.

The applicant proposes the complete demolition of the buildings sited within the boundary of the application site, including the Co-Op bakery building. Their demolition would make way for the redevelopment of the site for nine residential dwellings. Whilst this is an outline application, the supporting statement suggests that the new dwellings would offer some heritage interpretation, and would draw upon the general design of buildings found within the vicinity of the site.

Furthermore, the applicant argues that the building in its current form needs extensive maintenance and refurbishment works, and due to the prominent positioning of the building, subsequently detracts from the visual amenity of the local area, therefore supporting their argument for the demolition of the Co-Op bakery building and the wider site structures.

Paragraph 184 of the NPPF 2018 reminds us that heritage assets are an irreplaceable resource, and that they should be conserved in a manner appropriate to their significance so they can be enjoyed by future generations. However, it should be taken into account the desirability or preserving and enhancing the significance of the heritage asset, and putting them to viable uses, consistent with their conservation.

It is considered that the demolition of the Co-Op bakery building in this case, would result in the total loss of a significant heritage asset, with no recognition of the

opportunity to put the building to a new viable use. In demolishing the building, the proposal would also give rise to a significant detrimental impact on the historical character and appearance of the proposed Hucknall Conservation Area.

The planning history for the site indicates that permission has in the past been granted the conversion of the existing building into seven apartments. Whilst it has been argued that this development would not be viable, a viability assessment has been requested, but it has been declined to be submitted. It is considered that the development previously approved, would sustain the significance of the building, and sustain the character of the street scene.

The Co-Op bakery building is highly visible from the churchyard of the Grade II\* Listed St Mary Magdalen Church. Furthermore, the building in its current form establishes a prominent and interesting vista from the churchyard, and completes the street scene when facing southwards. It is therefore considered that the building provides a significant positive contribution to the setting for the Grade II\* Listed Building.

When considering applications that impact on the significance of designated heritage assets, great weight should be given to the asset's conservation, with any harm to or loss of significance from development within its setting, requiring a clear and convincing justification.

As the application seeks outline planning consent, the lack of full details in respect of the redevelopment of the site, does not allow the Local Planning Authority the opportunity to fully assess or consider whether the redevelopment of the site would preserve the setting of the Grade II\* Listed Church or the impact that the development would have on the wider historical character and appearance of the area.

Demolition of the sites buildings without redevelopment would also result in a significant gap site with the street scene, that is likely to be considered harmful to the setting of the church, and would disregard the policy requirements of the NPPF 2018 to conserve and enhance designated heritage assets.

As such, the demolition of the buildings within the application site is considered harmful to the setting of the church, for which a clear and convincing justification has not been provided.

The proposal is therefore considered to result in the total loss of the significance provided by the Co-Op bakery building, and furthermore, due to the lack of an appropriate redevelopment proposal, primarily due to the type of application submitted, the scheme is considered to neither preserve or enhance the setting of the Grade II\* Listed St Mary Magdalene Church. The proposal subsequently fails to comply with the policy requirements of the NPPF 2018, namely Part 16 – Conserving and Enhancing the Historic Environment, which seeks to protect and enhance



heritage assets, where appropriate. The proposal would also be as such contrary to Part 12 – Achieving Well Designed Places of the NPPF 2018, which seeks to ensure that developments add to the overall quality of an area, and are sympathetic to local character and history, including the surrounding built environment.

***Residential Amenity:***

An indicative plan provided suggest that a suitably designed scheme could be achieved on the site which would not result in any significant impacts on neighbouring residential properties by way of massing, overshadowing or overlooking.

The external dimensions of the smallest of the proposed dwellings, is also considered to provide any future occupiers with an appropriate standard of living.

Whilst the indicative layout identifies that a number of the dwellings may potentially have garden spaces that fall below the requirements outlined within the Council's adopted Residential Design guide SPD 2014, it is considered that due to the location of the site in relation to the wider urban area, that any future occupier would be within easy walking distance of existing public open space.

***Highway Safety:***

The application proposes the erection of nine, three bedroom dwellings. The Council would generally require the provision of two off-street parking spaces per dwelling, in accordance with the guidance contained with the Council's Residential Car Parking Standards SPD 2014.

Whilst the indicative layout provided illustrates that only two of the proposed dwellings would benefit from the required off-street parking provision, it is considered that following some minor amendments to the scheme, that a further four dwellings could benefit from having two off-street parking spaces.

With this in mind, and in considering the sites proximity to Hucknall Town Centre and major public transport nodes, that the proposed parking provision would be acceptable, and would encourage future occupiers to use sustainable modes of transport.

Concerns are however raised by the Highways Authority in respect of the proposed layout of the development, based on the indicative plans.

At present, there is an existing bus stop located on West Street, directly outside the application site. This bus stop in question is very well used and has recently been upgraded to include real-time information displays. The relocation of this bus stop would not be possible due to there not being a suitable safe alternative location within the vicinity. As the bus stop cannot be relocated, a request for vehicle accesses directly off West Street would not be approved.

Based on the indicative plans, the Highways Authority would be unable to support the drawings as submitted at the Reserved Matters stage, should the outline application be granted permission, as the current access details are geometrically substandard and unsafe, as well as being impossible to implement.

**Conclusion:**

As the Council cannot identify a 5-year housing land supply, the policies which are most important for determining the application should be considered out of date, particularly in relation to housing, and the presumption in favour of sustainable development should be applied, resulting in the tilted balance.

The NPPF 2018 sets out three overarching objectives to sustainable development – economic, social and environmental. These are considered in the context of the overall planning balance.

It is acknowledged that the proposal would provide a number of benefits, including support for small house builders and other economic benefits that would be generated during the construction of the dwellings and occupation thereafter. The scheme would also make a modest but nevertheless important contribution towards boosting the supply of housing in the area, in a relatively accessible location.

Consequently, overall there would be some environmental, social and economic benefits to the scheme however these would be similar for a conversion scheme rather than redevelopment.

Significantly however, the proposal would result in the total loss of the significance provided by the Co-Op bakery building, and furthermore, due to the lack of an appropriate redevelopment proposal, the scheme is considered to neither preserve or enhance the setting of the Grade II\* Listed St Mary Magdalene Church, resulting in a significant detrimental impact on the intrinsic historical character and appearance of the immediate street scene and surrounding area.

Given the relatively modest scale of the development, and thus the extent of the benefits it would produce, it is considered that the benefits, either individually or cumulatively, do not outweigh the environmental harm that would arise to the setting of the Grade II\* Listed Church or on the historical character and appearance of the area, when assessed against the policies in the NPPF 2018 as a whole.

On balance therefore, it is considered that the proposal does not constitute an appropriate form of development, and it is subsequently recommended that this application is refused on the following grounds.

**Recommendation: Outline Application Refusal**

## **REASONS**

- 1. The proposed demolition of the sites buildings, in particular the Co-Op bakery building, to make way for the redevelopment of the site, would result in a significant adverse impact on the historic character and appearance of the area, including harm to a non-designated heritage asset, which is considered to provide a significant architectural feature within the town. The proposal is therefore considered to be contrary to Part 12 – Achieving Well Designed Plans and Part 16 – Conserving and Enhancing the Historic Environment of the National Planning Policy Framework 2018, in particular, paragraphs 127, 184 and 197 of the Framework.**
- 2. Due to the lack of an appropriate redevelopment proposal, the scheme is considered to neither preserve or enhance the setting of the Grade II\* Listed St Mary Magdalene Church, located directly opposite the application site. Demolition of the sites buildings without redevelopment would also result in a significant gap site within the street scene. The consequence of such, would be the likely harmful impact upon the setting of the Church. The proposal therefore disregards the policy requirements of the NPPF 2018 which seeks to protect and enhance heritage assets, where appropriate, as stated in Part 16 – Conserving and Enhancing the Historic Environment of the Framework.**