



Ashfield
DISTRICT COUNCIL
MAP SCALE 1: 1250
CREATED DATE: 11/11/2020

COMMITTEE DATE 25 November 2020 **WARD** Central and New Cross

APP REF V/2020/0411

APPLICANT Minster Developments Ltd

PROPOSAL Approval of Reserved Matters for Planning Permission V/2018/0262 For Maximum of 24 Apartments and Associated Works

LOCATION Land at Junction of Outram Street and Park Street Sutton in Ashfield Nottingham NG17 4BB

WEB-LINK <https://www.google.co.uk/maps/@53.1275873,-1.2580441,160m/data=!3m1!1e3>

BACKGROUND PAPERS A, B, C, D, E, I

App Registered 03/07/2020 Expiry Date 02/10/2020

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

This application has been called in to be heard at planning committee on policy grounds by Councillor Zadrozny.

The Application

This is an application seeks approval of reserved matters consent, following the grant of planning permission V/2018/0262 for 24 flats with associated works. The application seeks approval of details relating to the appearance, landscaping, layout and scale of the development. The application proposes 7 no. of 1 bedroom flats and 17 no. of 2 bedroom flats.

Location of the Site

The site is located at the junction of Outram Street and Park Street close to the centre of Sutton in Ashfield. It lies immediately outside of the District Centre as identified by the Ashfield Local Plan Review 2002 but within the identified Outram Street Local Centre although the site has no previous history of retail use.

The site is currently vacant and has been so for some years. It is surrounded by close boarded fencing to Outram and Park Street, with an adjacent residential property to the north west. The fourth boundary, which is a public footpath/cycleway, is formed by galvanised steel fencing.

Consultations

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

ADC Drainage

No comments received.

ADC Landscaping

The parking bays and hard standing areas should be permeable to minimize surface water runoff.

The boundary treatment along the footpath between Outram Street and Priestic Road needs to be confirmed. The existing concrete pot and galvanized fencing is not acceptable. This should be replaced by an equivalent height vertical bar railing, finished in matt black. Footpath surface in alleyway to be made good following removal of concrete posts.

ADC Environmental Health

None received.

Nottinghamshire Constabulary

Nottinghamshire Police raise no objections. The applicant has declared commitment to following the Secured by Design principles. The proposed development is located within a high crime area and it is expected that the development complies with the Secured by Design Homes criteria. Secured by Design (SBD) is a minimum standard for security.

Nottinghamshire County Council Highways

The Highway Authority (HA) raises no objections.

The access into the site was approved at outline application stage V/2018/0262.

Nottinghamshire County Council Local Lead Flood Authority

Raise no objections subject to conditions

Severn Trent Water Authority

None received.

Community Representations

None received.

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 2018

Part 2 – Achieving Sustainable Development
Part 5 – Delivering a Sufficient Supply of Homes
Part 7 – Ensuring the Vitality of Town Centres
Part 8 – Promoting Healthy & Safe Communities
Part 9 – Promoting Sustainable Transport
Part 11 – Making Effective Use of Land
Part 12 – Achieving Well-Designed Places

Ashfield Local Plan Review 2002 [Saved Policies]

EM5 - Protection of Existing Employment land and Buildings
HG3 - Housing Density
HG4 - Affordable Housing
HG5 - New Residential development
HG6 - Public Open Space
SH2 - Local Shopping Centre
ST1 - Development
ST2 - Main Urban Area

SPD Residential Design Guide

SPD Residential Car Parking Standards

6C's Design Guide

Relevant Planning History

V/2004/0653 : The development of site by the erection of 28 no flats with car parking – approved

V/2005/1073 : The development of site by the erection of 37 apartments – application refused, allowed on appeal

V/2016/0737 : Outline application for up to 24 apartments. Committee resolved to grant subject to conditions and the signing of a section 106 agreement at Committee on the 2nd March 2017. The applicant refused to reimburse the Council's costs to have their viability independently assessed by the District Valuer and hence refused to enter into the S106 Agreement. Accordingly, the matter was referred back to Members on 14th December 2017 and was Refused Permission.

V/2018/0262 – Outline application for a maximum of 24 apartments and associated works (except access) – approved.

V/2018/0408 : Erection of 4 five bedroom and 2 six bedroom dwelling units, (class C4) within a two storey block with ancillary car parking and new vehicular access. Application refused, on the grounds of its impact on the street scene and highway safety due to a lack of off-street car parking.

Comment:

The main issues for consideration in the determination of this application are as follows:

- Layout
- Scale
- Appearance and landscaping
- Residential amenity
- Climate change

Layout

The proposed building footprint is responsive to the existing street pattern, consisting of a part three, part four storey flat roof building which is situated towards the front of the site facing towards Outram Street and Park Street. Ground floor units 1 and 2 can be accessed off Outram Street and Park Street creating active frontages in the street scene.

Living spaces face the streets to benefit from natural day light. Upper floor apartments can be accessed through the communal entrances from the courtyard behind the building. Access to the courtyard for both pedestrians and vehicles will be via a gated entrance leading from Park Street. This arrangement to access the flats/building was developed alongside the Police Architectural Liaison Officer. A condition is recommended for the applicant to submit details showing the scheme meeting the Secured by Design principles.

Service areas such as plant, refuse storage and cycle parking is to be located within the courtyard. An external amenity space is to be located on a raised platform level, with 1.5m high balustrading which will serve as a communal outside amenity space area for future occupiers. Refuse storage is located directly adjacent to the site access to enable easy refuse collection. This location avoids the need for refuse vehicles to enter the site beyond the security gate.

The courtyard area benefits from natural surveillance from the public areas of the site and provides an appropriate amount of car parking spaces given the edge of town center location of the development site.

Car Parking

Policy ST1, states amongst other things, that development will be permitted where it will not affect highways safety, or the capacity of the transport system. Ashfield District Councils Residential Parking SPD (2014) sets out standards for parking. These require 2 spaces for 2/3 bedroom dwellings. However, paragraph 5.6 sets out

'developments in areas within close proximity to major transport nodes, such as railway and bus stations, may warrant a more flexible approach'. Paragraph 6.37 of the ALPR also recognises that developers should be expected to reduce parking standards below the expressed maximums in areas well served by public transport.

The courtyard includes 24 car parking spaces, including 6m reversing space between spaces. Parking spaces are approximately 2.4. x 5m. This accords with the guidance as set out in Manual for Streets. This amounts to one space per unit and is considered to be acceptable in this location. It was also the amount previously considered at planning committee.

The site is some 350m away from the town centre and is served by well-defined pedestrian routes and crossing facilities. Good public transport exists with a bus station in walking distance and bus stop close by. The site is also located within walking distances of shops, services and employment opportunities, meaning residents would not necessarily need to own a car for their day to day needs. Finally, the proposals make also ample use of cycle parking, with a large secure cycle parking area located on the ground floor.

No objections have been received to the application from the Highways Authority, or local residents. Officers are aware of residents on Park Street wishing for a resident park scheme. However, it is worth noting that there was an RPS in place for many years, until a petition in 2010 demanded that it be removed. This was assessed and eventually removed in 2012.

Scale

The proposed building fronts Outram Street and Park Street which is part 3 storey and part 4 storey. The drop down to three storeys ensures that the building is fairly consistent with the heights of buildings within the vicinity in the site and does not look unduly domineering. It is noted that at four storeys, the building sits higher than others in the vicinity; however, this is an edge of town centre location and previous approvals at the site have indicated a similar height building. It is also noted that the whole building is set back from the site boundaries along Outram Street and Park Street to enhance the pedestrian experience at pavement level.

Appearance and Landscaping

Along Outram Street there is limited consistency within the street scene. There is a range of building fabrics and colours used within the locality of the site, varying from render, red brick, buff brick, pebble dash and shop frontage. The proposal features a stepped front elevation facing Outram Street, including varying cladding materials, colours and texture palette which helps to reduce the appearance of the mass and bulk from the street scene.

To enhance the appearance of the development in prominent corner location, the proposal includes a number of detailed design/fenestration features. A low level brick wall along Outram Street to the corner of the building is proposed as well as

recessed mortar joint detailing at ground floor level throughout. Vertical metal railings with climbing planting fronting Outram Street will give the appearance of a 'green wall' while allowing views in and out of the parking courtyard. External materials include 2 brick colours that are sympathetic to the local character of existing buildings. The front elevation to Outram Street features stepped back elements of the building in order to break up the frontage. Grey aluminum frame windows and doors are set back to help modernize the appearance of the building. The elevation fronting Park Street at ground floor level features a 'hit and miss' brick detailing which adds a visual feature by adding texture to the fabric of the building. A community public art feature is also proposed fronting Outram Street at ground floor level. A condition is recommended for the applicant to submit details of the artwork and this will require engagement for local members and the community about what they want to see on the building.

In terms of landscaping, this is a high density scheme providing smaller 1 and 2 bed flats accommodation. As such there are limited opportunities within the site for landscaping, however the proposal includes planting within the central courtyard and along the street frontages to enhance the character of the development. It is considered that the proposed design features create interest and character to the benefit of the locality.

Residential Amenity

The proposed building is part 3 storey fronting Park Street and increases to 4 storeys fronting Outram Street. Neighbouring residential property 38 Park Street is separated from the proposed building by the pedestrian and vehicle access which is approximately 5.8m in width. This is a blank side elevation to neighbouring property 38 therefore there is limited loss of privacy concerns resulting from the proposed building. It should be noted that there is potential for overlooking of the rear garden area to 38 Park Street from windows on the north elevation of the proposed building, however it is considered that this is not a significant impact due to the separation distance and courtyard between which lessens the overall impact. Neighbouring property 43 Park Street is located approximately 13m to the north-east of the proposed building located on the opposite side of Park Street. At ground floor level in this location, this part of the building is a bin store which reduces any potential loss of privacy concerns. Shop frontages are located on the opposite corner of Park Street and along the opposite side of Outram Street which therefore reduces any loss of privacy impact. To the rear of the building includes a public footpath and open space to the west of the site.

The proposed 24 apartments include 1-2 bedroom flats which have meet the minimum internal national standards as contained within the Technical housing standards – nationally described space standard 2015. An elevated outside amenity space area is also proposed at first floor level which is approximately 39m² in floor space sited at the rear of the building which will be enclosed by 1.5m high balustrading. The amenity space area is set 14m separation distance from the rear garden area of 38 Park Street, however appropriate use of boundary treatment will

reduce any potential overlooking impact. A condition has been proposed requiring full details of boundary treatment to be submitted to and approved by the local planning authority.

The location of the building towards the front of the site results in its separation from the rear boundary with the adjacent end terraced property on Park Street such that there would be minimal impact on the amenities and privacy currently enjoyed by the residents. The scheme does however include on-site parking which would extend up to the boundary of this neighbouring property. It is considered that any adverse impacts due to the proximity of the parking could be successfully mitigated through the provision of a suitably designed boundary treatment.

Sustainability and Climate Change

The proposed development uses a low-carbon apartment 'fabric first' approach which comprises of a highly insulated development, airtightness detailing and thermal bridging reduced to a minimum. Dwellings achieve a 35-60% reduction in carbon dioxide emissions by using a 'fabric first' approach. This approach was designed to help future occupiers maximize energy savings. Cycle storage has been included and a condition has been proposed requiring a scheme of electric vehicle charging points is to be submitted to and approved by the local planning authority.

Other Matters

S106 Agreement

This application only relates to layout, scale, appearance and landscaping. A unilateral agreement was confirmed dated 12th March 2019 and a public realm contribution including the sum of £5,000 towards the Northern Bridge public realm improvements, Sutton in Ashfield, Nottinghamshire.

Conclusion

It is considered that the proposed development satisfies the Councils minimum requirements and represents a sustainable form of development, which is acceptable in terms of layout, scale, and appearance and landscaping. On-site car parking amounting to one space per unit and ample cycle storage is proposed.

The building features space for an artwork feature, which can be developed in connection with the local community and Members. The scheme has been assessed by the Police Architectural Liaison Officer, whom raises no objections. The proposed scheme also follows a 'fabric first' approach in reducing the impact of the development on climate change.

Finally, the location of the building within the site, fronting onto Outram Street and Park Street, reduces any impact on neighbouring amenity from massing and overshadowing.

Overall, it is considered that the proposed development is acceptable. It will provide an additional 24 dwellings within the District, supporting the Core Principles of the NPPF in re-using land that has previously been developed and Part 5 of the NPPF which seeks to boost housing delivery.

Recommendation: - Approve reserved matters details.

CONDITIONS

1. The development to which this approval relates shall be begun not later than whichever is the later of the following dates :
 - (a) The expiration of 5 years from the date of the outline planning permission;
 - (b) The expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. This permission shall be read in accordance with the following plans: existing site plan 1:100, site location plan 1:1250, proposed site plan and ground floor plan 1:100 No. No 20-2280-22-001 Rev. D, proposed first floor plan 1:100 No. No 20-2280-22-002 Rev. C, proposed second floor plan 1:100 No. 20-2280-22-003, proposed third floor plan 1:100 No. 20-2280-22-004, proposed roof plan 1:100 No. 20-2280-27-001 Rev. A, proposed roof plan 1:100 No. 20-2280-27-001 Rev. B, proposed elevations 1:100 No. 20-2280-21-001 Rev. B (received 5th November 2020). The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.
3. The landscaping shall be carried out in accordance with the details shown on drawing titled: LANDSCAPE MASTERPLAN (Dwg No. OSS Rev A) and within the first available planting season following occupation of the development. The landscaping shall thereafter be maintained for the lifetime of the development.
4. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
5. No development shall take place until samples of the materials and finishes to be used for the external elevations and roof of the proposal have been agreed in writing by the Local Planning Authority. The submitted information shall also include full details of the feature projecting brickwork zone. Thereafter the development shall be carried out with those materials, unless the Local Planning Authority gives written approval to any variation.

6. The development shall not be occupied until full details of the artwork feature fronting onto Outram Street has been submitted to and approved, in writing, by the Local Planning Authority. The agreed details shall thereafter be implemented and within an agreed time frame.
7. The development shall not be occupied until a scheme detailing the developments adherence to Secured by Design principles has been submitted to and approved in writing. All measures detailed in the scheme shall thereafter be implemented and within an agreed timeframe.
8. No work shall commence until such time a scheme indicating proposed floor levels of all buildings, and the relationship of such to the existing dwellings has been submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with the agreed details.
9. Notwithstanding the approved details, no development shall take place until the following matters have been submitted to and agreed in writing by the Local Planning Authority:
 - (a) Full details of the proposed treatment of the site's boundaries.
 - (b) A phasing scheme for the implementation of the agreed boundary treatment.The boundary treatment shall be undertaken in accordance with the agreed details.
10. No part of the development shall be brought into use until the parking area is provided in accordance with the approved proposed site plan and ground floor plan 1:100 No. No 20-2280-22-001 Rev. D (received 5/11/20). The parking areas shall not be used for any other purpose other than parking/loading and unloading of vehicles.
11. No part of the hereby permitted development shall be brought into use, until details showing the provision of electrical vehicle charging points have been submitted to and approved in writing by the local planning authority. These shall thereafter be implemented in accordance with the approved detail.

REASONS

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.
2. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
3. In the interests of visual amenity.

4. To ensure that the development provides a satisfactory means of drainage, in order to reduce the risk of creating; or exacerbating a flooding problem, and to minimise the risk of pollution.
5. To ensure the satisfactory appearance of the development.
6. To ensure the satisfactory appearance of the development.
7. To reduce the potential for crime.
8. To safeguard the visual amenity of the area.
9. To safeguard the amenities of residents living in the vicinity of the application site.
10. To ensure that adequate off-street car parking provision is made to reduce to reduce the possibilities of the proposed development leading to on-street parking in the area.
11. To future proof the development and in the interests of and in the interests of air quality.

INFORMATIVE

1. The applicant is reminded that the Outline Planning Permission is subject to a Unilateral Undertaking dated 12th March 2019.
2. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).