

COMMITTEE DATE 26/05/2021 **WARD** Sutton Central and New Cross

APP REF V/2020/0546

APPLICANT D M Hollis

PROPOSAL Application for Outline Planning Permission with All Matters Reserved for Demolition of Former Solicitors Offices and Erection of a Maximum of 8 Town Houses (C3)

LOCATION 2-4 Market View, Market Place, Sutton in Ashfield, Nottinghamshire, NG17 1AQ

WEB-LINK <https://www.google.co.uk/maps/@53.1236553,-1.265621,17.04z>

BACKGROUND PAPERS A, C, D, F, K

App Registered: 18/08/2020

Expiry Date: 12/10/2020

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

This application has been referred to Planning Committee by Cllr. Deakin on the grounds on town centre regeneration and the applicant is related to an elected member of the Council.

The Application

This is an Outline application with all Matters Reserved for the demolition of the existing commercial buildings at 2-4 Market View, Sutton in Ashfield, and the redevelopment of the site for up to eight dwellings. Each property will have a private garden area sited to the rear.

Consultations

A site notice has been posted together with individual notification to surrounding residents.

The following consultation responses have been received:

ADC Urban Design & Conservation:

The application site is clearly visible at short distance from within Sutton in Ashfield Church and Market Place Conservation Area and so the redevelopment clearly has the potential to impact on the setting of this designated heritage asset. The building is modern and of no great architectural merit. It already appears quite dated and lacks any measure of local distinctiveness. It appears quite isolated within the street, with a distinct lack of enclosure and leakage of largely unattractive views to either side as a consequence. The proposed demolition offers the opportunity to

significantly upgrade and improve the street scene. The principle of demolition and redevelopment can therefore be supported.

The indicative plans provided show that the redevelopment of the site would provide a significant enhancement to the setting of the Conservation Area. The palette of materials recommended in the Heritage Statement includes red brick, stone details and slate which are all considered appropriate in this context. The form and massing of the replacement building will need to be developed further in the reserved matters.

NCC Highway Authority:

This is an outline application with all matters reserved for the construction of up to 8 dwellings following demolition of offices within the town centre. The number of bedrooms per dwelling is not currently specified. A condition should be applied should parking be provided on site to ensure it complies with the Notts County Council highway design guide.

Severn Trent Water:

No objections to the proposed development. Suggest a condition is applied requiring full details of foul and surface water to be submitted.

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) 2019:

- Part 2 – Achieving Sustainable Development
- Part 5 – Delivering a Sufficient Supply of Homes
- Part 7 – Ensuring the Vitality of Town Centres
- Part 9 – Promoting Sustainable Transport
- Part 11 – Making Effective Use of Land
- Part 12 – Achieving Well Designed Places
- Part 16 – Conserving and Enhancing the Historic Environment

Ashfield Local Plan Review (ALPR) 2002:

- ST1 – Development
- ST2 – Main Urban Area
- EV10 – Conservation Areas
- HG5 – New Residential Development
- SH1 – District Shopping Centre

Residential Design Guide SPD 2014

Residential Car Parking Standards SPD 2014

Relevant Planning History

None.

Comment:

This application seeks outline planning consent for the demolition a commercial unit, known as the 2-4 Market View, which is sited within the town centre of Sutton in Ashfield, and the construction of up to eight residential dwellings with associated amenity space to the rear.

The application site presently comprises two, two-storey commercial buildings of brick and tile construction; one in use as a solicitor's office and the other a vacant charity shop. A further commercial unit is attached to the side of number 2 but is not included within the application site boundary. Also encompassed within the site is a small private car park which is bounded by a low height wall and railings. The application site is sited prominently within the market place of Sutton town centre, with no break between the front elevation and the highway edge.

Directly to the north of the site is existing commercial development situated on High Street and Low Street, whilst to the east and south is Sutton Community Academy. To the west of the site is Sutton market place, which comprises of a public car park. Commercial development lies further to the west beyond the car park.

The application site lies adjacent to the Sutton in Ashfield Church and Market Place Conservation Area and forms a focal position on the periphery of the Market Place.

The main issues to consider in this application are the principle of the proposed development, the impact of the proposal on the character and appearance of the area and heritage assets, as well as the impact on residential amenity and highway safety.

Principle of Development:

The application site is located within the main urban area of Sutton in Ashfield, where the principle of development is generally considered acceptable, as set out within policy ST2 of the ALPR 2002, 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.

The NPPF 2019 sets out three overarching objectives to achieving sustainable development. These are an economic objective, a social objective, and an environmental objective. The social objective, amongst other things, seeks to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. This objective is reflected in Part 5 – Delivering a Sufficient Supply of Homes of the NPPF 2019, which sets out the Government's aim to significantly boost the supply of homes.

The application site falls within the designated town centre of Sutton in Ashfield. Under the provision of policy SH1 of the ALPR 2002, residential development will be permitted within district shopping centres to assist with the diversity of such areas.

This policy position is consistent with Part 7 – Ensuring the Vitality of Town Centres of the NPPF 2019.

As previously mentioned, the site comprises two vacant commercial properties and in 2020 14% of units within the town centre of Sutton were recorded as being vacant (Retail Floorspace Survey, 2020). It is therefore considered that the demolition of the two units and redevelopment of the site for residential purposes will not result in any significant adverse impact on the availability of units within Sutton town centre for retail and business purposes, and therefore will not impact on the potential for economic growth in the area.

The principle of demolition of the existing buildings and the redevelopment of the site for up to eight residential dwellings is therefore considered acceptable in this instance.

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

Although not sited within the designated Sutton in Ashfield Church and Market Place Conservation Area, the application site lies immediately adjacent to the south-eastern corner of the Conservation Area and is clearly visible at short distance from within the Conservation Area. The redevelopment of the site therefore has the potential to impact on the setting of this designated heritage asset.

Paragraph 189 of the Framework stipulates that in determining applications which have the potential to affect heritage assets, local planning authorities should require an applicant to describe the significance of any heritage assets affected. The applicant has subsequently submitted a Heritage Statement to support the proposed redevelopment of the site.

In addition to the above, paragraphs 193 and 194 of the Framework necessitate that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, whilst any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification.

Comments received from the Council's Conservation Officer confirm that the building proposed for demolition is modern, of no great architectural merit and lacks any measure of local distinctiveness. The application site, when viewed from within the setting of the Conservation Area, appears isolated within the street scene with a distinct lack of enclosure.

The proposed demolition of units 2, 3 & 4 and the truncation of unit 1 is considered to offer the opportunity to significantly upgrade and improve the street scene in this location and provide a significant enhancement to the setting of the Conservation Area.

As this application comprises of an Outline application with all matters reserved, no details have been provided in regards to the definitive layout, design and appearance of the proposed development. Nevertheless, the palette of materials suggested in the submitted Heritage Statement includes red brick, stone details and slate which are all considered appropriate in this location. The form and massing of the replacement buildings will also need to be developed further as part of a future Reserved Matters application

Residential Amenity:

Policy HG5 of the ALPR 2002 stipulates that residential development will be permitted where the design and layout of properties minimizes overlooking and provides a reasonable degree of privacy and security.

An indicate layout plan has been submitted with the application which indicates that the site is large enough to accommodate eight dwellings and although the areas of private amenity space may fall marginally below the required standards, as set out within the Council's Residential Design Guide SPD 2014, as the site is located within a town centre location, this would likely be acceptable in this instance due to the proximity of the site to other areas of public and open space.

It is understood that there is a residential flat at unit 1 at first floor level. It is considered that the dwellings could be designed and sited so that there is no undue harm on neighbouring residential properties by means of massing, overshadowing or overlooking. Such details would be carefully assessed at the Reserved Matters stage to prevent any potential impacts on neighbouring residents.

Highway Safety:

Although access is a Reserved Matter, the indicative site layout plan submitted suggests that there would not be any off-street parking provision provided as part of the development.

Whilst the Council's Residential Car Parking Standards SPD 2014 stipulates minimum off-street parking requirements depending on bedroom numbers, as the site lies within a highly accessible town centre location, and future occupiers will have little use for a private vehicle. Should a situation arise where future occupiers do have access to, or own a private vehicle, there are several public car parks within the immediate vicinity of the site which they could utilise, including the Sutton Market Car Park where season tickets are available from the Local Council.

Conclusion:

The application site is located within a sustainable, town centre location, and offers the opportunity to redevelop site and improve the local street scene and setting of Sutton in Ashfield Church and Market Place Conservation Area.

Furthermore, the site is considered to be of a sufficient size to accommodate eight dwellings, without raising any significant concerns in respect of residential amenity or highway safety.

It is therefore recommended this application be granted planning permission, subject to the below conditions:

Recommendation: Grant Outline Conditional Consent

CONDITIONS

1. The formal approval of the Local Planning Authority shall be obtained prior to the commencement of any development with regard to the following Reserved Matters:
 - (a) Layout
 - (b) Scale
 - (c) Appearance
 - (d) Access
 - (e) Landscaping
2. The development to which this permission relates shall be begun not later than 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.
3. Drainage details for the disposal of surface water and foul sewage shall be with the Reserved Matters and shall be implemented in accordance with the approved details before the development is first brought into use.
4. Notwithstanding the details submitted with the application or during its consideration by the Council this permission does not relate to a specific layout.
5. This permission shall be read in accordance with the following plans: Site Location Plan, Drawing No. MarketView_SLP, Received 19/08/20. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed 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 as amended.**
- 2. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.**
- 3. 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.**
- 4. To define the terms of this permission and for the avoidance of doubt.**
- 5. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.**

INFORMATIVE

- 1. 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).**