

V/2021/0889 - 14 Low Street



**MAP SCALE 1:** 1250  
**CREATED DATE:** 01/03/2022

**COMMITTEE DATE**    16/03/2022                      **WARD**            Sutton    Central    &    New  
Cross

**APP REF**                      V/2021/0889

**APPLICANT**                Ashfield District Council

**PROPOSAL**                Alterations and extension to form a Mixed-Use Office Space on the Ground Floor With Two Apartments on the First Floor.

**LOCATION**                    14 Low Street, Sutton in Ashfield, Notts, NG17 1DG.

**WEB-LINK**                    <https://www.google.com/maps/place/14+Low+St,+Sutton-in-Ashfield+NG17+1DG/@53.1243716,-1.2624244,104m/data=!3m1!1e3!4m5!3m4!1s0x4879942a64fcec2d:0xd6cb07d320703788!8m2!3d53.1244275!4d-1.2621745>

**BACKGROUND PAPERS**    A, B, D, & K.

App Registered: 13/12/2021                      Expiry Date: 06/02/2022

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

*This application has been referred to Planning Committee in the interest of transparency as Ashfield District Council is the applicant.*

### **The Application**

This is an application for the alterations and extension of an existing building to create an office space at ground floor and two, 2-bedroomed flats at first floor level.

The extension comprises a single storey to the rear of the building to accommodate a bin storage area.

New boundary treatments are also proposed to be erected around a proportion of the rear car park to provide a greater level of security. This would consist of the erection of railings on top the existing boundary wall.

The alterations include new access doors, new windows at first floor level, installation of solar panels on the western roof slope, installation of external condenser units, and improvements to the existing fascia.

### **Consultations**

A site and press notice have been posted together with individual notifications to surrounding residents.

The following responses have been received:

### **Nottinghamshire County Council Highways:**

Bin storage areas are indicated, and details should be obtained relating to refuse collection to avoid impacting the highway.

Although no parking provision is to be provided at the site, the location and nature of the site has access to public transport, and therefore the absence of parking provision is acceptable.

### **Ashfield District Council Conservation Officer:**

Site is within the town centre Conservation Area, although the historic core is generally focussed on the church and market place.

The local building style is mainly late Victorian and early c20 with an older street pattern, although the existing building is considered not to be of high architectural merit.

The site is on the boundary of the Conservation Area and some distance from the historic core, the solar panels are considered not to make a positive contribution to the character of the Conservation Area, however the proposals are considered to be generally supportable.

### **Policy**

Under the Planning and Compulsory Purchase Act 2004, section 38(6) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, the starting point for decision-making are the policies set out in the Ashfield Local Plan Review 2002 (saved policies). The National Planning Policy Framework (NPPF) is a material consideration.

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

### **Ashfield Local Plan Review (ALPR) (2002) as amended by 'saved policies' 2007:**

ST1 – Development.

ST2 – Main Urban Area.

EV10 – Conservation Area.

HG5 – New Residential Development.

HG8 – Residential Care Facilities, Houses in Multiple Occupation, Bedsits, Flats and Hostels.

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

Part 2 – Achieving sustainable development.

Part 5 – Delivering a sufficient supply of homes.

Part 6 – Building a strong, competitive economy.

Part 7 – Ensuring the vitality of town centres.

Part 8 – Promoting healthy and safe communities.

Part 9 – Promoting sustainable transport.

Part 12 – Achieving well designed places.

Part 16 – Conserving and enhancing the historic environment.

### **Supplementary Planning Documents (2014):**

Residential Design Guide.

Residential Car Parking Standards.

### **Relevant Planning History**

**V/1981/0723** – Redevelopment and Refurbishment – Conditional consent.

**V/1982/0675** – Bank Front – Conditional consent.

**V/1997/0315** – Removal of side entrance door, installation of window and alterations to both elevations – FULCC.

**V/2013/0315** – New frontage to existing bank – FULCC.

### **Material Considerations:**

- Visual Amenity.
- Historic Environment.
- Residential Amenity.
- Highway Safety & Transport.
- Conclusions.

Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, if regard is to be had to the development plan for any determination, then that determination must be made in accordance with the plan, unless material considerations indicate otherwise. Therefore, the starting point for decision-making are the policies set out in the Ashfield Local Plan Review 2002 (saved policies).

The National Planning Policy Framework (NPPF) is a material consideration. The policies in the development plan have to be considered in relation to their degree of consistency with the provisions of the NPPF (NPPF paragraph 219). This will depend on the specific terms of the policies and of the corresponding parts of the NPPF when both are read in their full context. An overall judgement must be formed as to whether or not development plan policies, taken as a whole, are to be regarded as out of date for the purpose of the decision.

### **Visual Amenity and the Historic Environment:**

Replacement entrance doors are proposed to the property to facilitate level access into the office and lobby area serving the flats.

A new single storey extension is proposed to be erected to the rear of the premises which will have a mono-pitch roof and be constructed of materials to match the existing. This extension shall provide an enclosed bin storage area.

The existing planting on site is to be trimmed back, removed in part, and new 1.1m high railings are to be added to the existing low level wall to the rear of the premises. The railings are to be finished with a matt black colour.

A new timber fascia board is to be installed on the north and east elevations to replace the existing, which is currently in a poor state of repair. Surrounding brickwork is to be made good as necessary.

The five existing air conditioning units attached to the premises are to be removed from the rear (west) elevation, and the elevation made good as necessary to match the existing. Four new air source heat pumps are to be installed on the rear (south) elevation.

Solar panels are also proposed to be installed on the rear (westerly) roof slope, providing an opportunity to utilise renewable energy to increase the buildings sustainability and green credentials.

Comments received from the Council's Conservation Officer confirm that given the location of the site and its distance from the historic core of the Conservation Area, it is considered that the proposed development is acceptable from a conservation perspective. This was however on the proviso that the solar panels were omitted from the proposal. Having assessed their siting it is considered that the installation of the solar panels would amount to less than substantial harm to the character of the Conservation Area, and as such, the benefit of securing a renewable source of energy is considered to outweigh the negligible harm potentially caused to the character of the Conservation Area. This approach also supports the aim of the National Planning Policy Framework to adopt and mitigate against climate change.

### **Residential Amenity:**

The Council has adopted minimum standards for internal room sizes, contained within the adopted 'Residential Design Guide' Supplementary Planning Document

(2014). Each flat will have two generous sized bedrooms with bathrooms/en-suites, each having a combined kitchen-diner-living space. All rooms within both flats meet or exceed the Council's adopted standards.

Although there is a courtyard area and car park to the rear of the premises, this is not within the ownership of the Council, but does form part of the application site boundary. Nevertheless the site is within the town centre and would have ease of access to public recreational green spaces and facilities, such as Sutton Lawn and the Lammas Leisure Centre. Therefore it is considered that the limited outdoor space available at the property would not be of detriment to the health and wellbeing of future occupiers.

In light of the above it is considered that there shall be no detrimental impact upon the residential amenity of any existing and future occupiers.

### **Highway Safety & Transport:**

There is a car park to the rear of the premises, however this is not within the applicant's ownership and tenants will not have any access rights to these spaces. The Highway Authority consider that car parking provision on site is not essential given the sites town centre location, in close proximity to public transport facilities and several public car parks. There is also a degree of 'time-limited' on-street parking available within the locality.

### **Other matters**

Designated bin storage areas are proposed, both within the single storey rear extension and rear yard area. It has been confirmed that the Council's waste team would have a code for the doors facilitating access to these areas, so on collection days bins can be taken from those areas to prevent any bins from blocking/obstructing the highway/car park.

### **Conclusion:**

Given the design, scale and function of the proposed development it is considered that the development will not adversely affect the character or setting of the Conservation Area or wider street scene, nor cause significant harm to the living conditions of existing and future occupiers.

It is considered that the absence of any designated off-street parking would not be detrimental to highway safety, or cause significant harm to the capacity of the highway network due to other sustainable transport modes available.

The scheme is incorporating measures to increase the green credentials of the building and to reduce its long-term environmental impact.

Therefore based on the above, it is recommended that this application be granted planning permission, subject to the below conditions:

**Recommendation: Grant planning permission, subject to the below conditions:**

**CONDITIONS**

1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the following plans: Site Location Plan, Drawing No.818.1191.5-(08)002 Rev.B, Received Received 08/02/2022. Block Plan, Drawing No.818.1191.5-(08)003 Rev.B, Received 08/02/2022. Proposed Elevations, Drawing No's.818.1191.5-(21)201 Rev.E and 818.1191.5-(21)101 Rev.E, Both Received 08/02/2022. Proposed Floor Plans, Drawing No's.818.1191.5-(20)201 Rev.F and 818.1191.5-(20)101 Rev.I, Both Received 08/02/2022. Proposed Fencing Plan, Drawing No.818.1191.5-(20)301 Rev.B, Received 02/03/2022. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.
3. The materials and finishes to be used for the external elevations of the proposal shall match those used in the construction of the existing building.

**REASONS**

1. To comply with the requirements of Section 91 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. To ensure the satisfactory appearance of the development.

**INFORMATIVES**

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).
2. No consent is granted or implied for any adverts and/or lighting/illumination which may require separate advertisement consent.