

20/02655/FUL**Applicant** Mr Robert Allen**Location** Allen Vending Supplies Ltd, 27 High Street, Ruddington, Nottinghamshire, NG11 6DW**Proposal** Change of use of buildings to five flats and alterations including partial demolition of existing modern extensions and erection of two storey and single extensions. (Resubmission)**Ward** Ruddington

THE SITE AND SURROUNDINGS

1. The application relates to a group of buildings located on the corner of High Street and Kirk Lane in the centre of the village of Ruddington. Collectively the buildings are known as 27 High Street and most of the site provided the former premises of the company 'Allen Vending Supplies'. Most of the buildings are now vacant, although a remaining estate agent's business, J P Lettings, still occupies part of the building on the corner of the site.
2. The original, two storey buildings fronting High Street and Kirk Lane date from the late C19th/early C20th century and were physically separate buildings. Later extensions were added to join them together. A small parking area has been left in the middle of the site, accessed from Kirk Lane. To the rear the building adjoins the site of another two storey building occupied by the Ruddington Conservative Club. To the east lies a terrace of residential properties.
3. The site lies within the designated Ruddington Conservation Area. Ruddington is also defined under the Local Plan as an inset settlement within the Green Belt.

DETAILS OF THE PROPOSAL

4. Planning permission is sought to change the use of the site and buildings to a residential development.
5. 5 residential units would be provided. The building fronting High Street would be converted to two 1 bedroomed flats, one on each floor. The building fronting Kirk Lane would be converted to two 2 storey units, each with two bedrooms. The single storey rear extensions to this building would be removed and replaced with a two storey flat roofed rear extension and two further small lean-to extensions either side of two central courtyard areas.
6. A further first floor, two bedroom flat would be established in the centre of the site which would involve a new flat roofed, two storey extension. This would replace the existing extensions in the centre of the site. A covered stairway

would also be added to the rear of the building fronting High Street to provide access to this flat.

7. The courtyard would be retained in the centre of the site to provide parking spaces, accessed from Kirk Lane and a cycle storage and refuse storage area. The ground floor of the western side elevation of the building fronting Kirk Lane would be opened-up to provide additional space to this area. The new extension in the centre of the site would also have an open undercroft. Four of the units would have small outdoor courtyard areas.
8. The existing estate agent's business is to remain and both the ground and first floors of this section of the building would not be altered by the proposals.

SITE HISTORY

9. 19/02024/FUL - Change of use of buildings to five flats and alterations including partial demolition of existing extension and erection of two storey and single extensions. Withdrawn 3 January 2020 by the applicant to allow submission of additional information to demonstrate that there is no demand for the site/premises in its existing specified employment use.
10. 13/01176/FUL - Change of use from police station to a Class A2 (office for financial and professional services). Approved 20 August 2013
11. 95/00196/FUL - First floor extension over car port to form additional office accommodation. Approved 26 April 1995
12. 83/01040/CENTRA - (a) Change of use from residential to shop and offices; (b) Alteration to building; (c) Demolition of outbuilding to form additional parking facilities. Approved 31 August 1983

REPRESENTATIONS

Ward Councillors

13. One Ward Councillor (Cllr J Walker) objects to the proposal due to the intensity of the plan in the village Conservation Area. It is considered that the village centre cannot support 5 flats with only 4 proposed parking spaces.

Ruddington Parish Council

14. The Parish Council object to this application as it is too intensive for this site. Sufficient parking space has also not been provided, there is no nearby parking available either.

Statutory and Other Consultees

15. Nottinghamshire County Council as Highways Authority has no objections to the proposal.
16. The application site occupies a corner plot at the junction of the B680 Kirk Lane/ High Street in the shopping centre area of Ruddington Village. The commercial nature of the area generates a high demand for on-street parking which is

controlled by the presence of formalised parking bays, and “No Waiting At Any Time” restrictions. Therefore, any on-street parking demand generated by this proposal would be controlled by the existing on-street parking restrictions.

17. The proposal is for a change of use from business premises to 5no. residential units (flats) and 2 no. commercial units (existing), i.e. the office use of the ground floor unit (presently occupied by the estate agents office) and the first floor “Business Room” are to remain unchanged. Whilst the proposal will generate some demand for on-street parking, it is not envisaged that this will compromise the highway safety as the applicant proposes to accommodate some off-street parking within the site’s curtilage.
18. The application was subject to a pre-application enquiry and the applicant has addressed the previous highway comments in the documents submitted with this full application.
19. The submitted plan ref. Proposed Ground Floor Plan, drawing no. 03 rev. B, dated 12/2018 shows 4 no. off-street parking bays accommodated within the site. All these parking bays are in accordance with current Nottinghamshire Highway Design Guide.
20. The applicant has shown a location of a communal bin storage area on the submitted plan, which is accommodated within the site. A designated bin collection point near the highway within the site’s curtilage should also be provided to avoid residents’ bins beings stored on the footway on collection days. Although not shown on the plan, there seems to be enough space to accommodate this near the highway and off the footway.
21. The applicant has shown a large unobstructed area of the courtyard where the vehicles would manoeuvre within the curtilage of the site to allow them to enter and leave the site in forward gear. This would enable the vehicles to avoid reversing into or out of the site onto a busy B-class road near the junction.
22. There are few issues that have not been raised at the pre-application stage. However, they should be addressed:
 - (a) The existing vehicular access outside the shutter door on the northern elevation of the building along Kirk Lane is required to be removed and reinstated into a footway. This is not shown on the submitted plan, but is required to be provided by the applicant and their expense.
 - (b) The proposed cycle rack should be proposed as lockable to improve security of the cycles stored in it.
 - (c) Any windows and doors off the public footway should open inwards only to prevent highway obstruction.
23. Although there may be some concerns regarding the location of the proposal near a busy junction, it is not envisaged that this proposal will severely compromise highway safety and its existing use has been established historically. The Highway Authority therefore do not wish to raise an objection, subject to conditions being attached to any grant of consent in relation to the

provision of the parking and turning areas and the cycle storage facilities prior to the development being brought into use, closure of the existing site access off Kirk Lane and a condition to state the windows and doors on street frontage should open inwards.

24. The Borough Council's Conservation Officer objects to the proposal.
25. The proposal site is located within the Ruddington Conservation Area and relates to a group of buildings at the corner of High Street and Kirk Lane and a carpark area. Several Grade II listed buildings are located within 100 metres of the proposal site. The proposal site contains identified positive buildings of special architectural or historic character on the Townscape Appraisal.
26. Several properties in close proximity are also identified on the same plan as positive buildings. Therefore, the impact of the proposal on the special interest of the Listed Buildings and Conservation Area must be given consideration. The proposal would not harm the special interest of the Listed Buildings by virtue of distance and the lack of indivisibility between the properties. The focus of the response from the Conservation Officer response, therefore, is the impact of the proposal on the Conservation Area.
27. A change of use is proposed, about which there are no heritage-related concerns in principle. The proposed development to the side and rear of the buildings comprises alterations, extensions and demolition to the existing buildings and their conversion to 5 flats. The proposed alterations are front, rear and side elevations of the buildings on the proposal site and would be visible from the public realm. There would be no change to the High Street elevation, but the proposed development to the south elevation on Kempson Street would be visible from the public realm.
28. The proposed alterations would be highly visible and prominent when viewed from the public realm on Kirk Lane.
29. Three modern extensions (1 pitched and 2 flat-roofed) are proposed for demolition and there are no heritage-related concerns about their removal as they are not of any special architectural or historic interest.
30. The High Street buildings (27 High St, Ruddington) - There are no proposed changes to the external appearance that would be visible from the public realm within the Conservation Area and therefore, the special interest of the Conservation Area would be preserved on this elevation.
31. Kirk Lane - Alterations to the façade of this building would be undertaken. There are no concerns where these are related to the domestic conversion and extension of the traditional building identified as a positive building in the Conservation Area. It is suggested the window to be blocked at the first floor LHS be removed from the plans for clarity. It is recommended that where windows are proposed for conversion to doorways with lights above, that these lights be sympathetic in design to the existing window design and it is recommended conditioning this. As for the doorways to be converted to windows, it is suggested any timber infill be set back slightly to understand the

evolution of the building. The use of timber for replacement windows will be appropriate.

32. However, there are strong concerns about the partial demolition of the traditional building for parking. The building is capable of reuse and conversion and therefore, the demolition of part of the building for parking would cause harm to the identified positive building of special architectural or historic character and, therefore, the Conservation Areas special interest. If the demolition of this end of the building were to go ahead it would result in localised facadism which should be resisted.
33. Kirk Lane and Kempson Street - There are concerns about the flat roofs proposed across the site and the officer suggests that these be reconsidered as pitched roofs stepped down from the existing roof heights. Flat roofs are not a common design feature of the Conservation Area.
34. For the reasons given above, the proposals would harm the character and appearance of the Conservation Area.
35. The Borough Council's Environmental Sustainability Officer comments that the applicant has stated no protected or priority species, habitats or sites are found on or adjacent to the development site, no records are held for protected or priority species by the Nottinghamshire Biological and Geological Record Centre for this site. As the demolition work appears to be on new extensions which are unlikely to support protected or priority species, it therefore appears proportionate that no ecological surveys are required at this time. Several recommendations are made in respect of achieving a demonstrated biodiversity net gain.
36. The Borough Council's Environmental Health Officer raises no objection to the proposal on environmental health grounds. The application is to convert a commercial use building to residential. Whilst there are residential properties close by there are also commercial properties in the locality with plant/machinery along with a public house with external seating area. With this in mind, conditions are recommended to minimise any potential nuisance, including the provision of a sound insulation scheme for approval and the provision of a construction method statement detailing techniques for the control of noise, dust and vibration during demolition and construction.

Local Residents and the General Public

37. 14 neighbouring properties have been individually notified and the application has been publicised by notice at the site. 4 public representations have been received. In summary the following points are made:
 - a. The development is too intensive for its location and the Conservation Area. Buildings within the Conservation Area should not be allowed to be drastically altered to make way for housing.
 - b. There is insufficient parking on site which will put further pressure on the already crowded village centre streets. The site is also near to a busy junction. The construction phase would be extremely disruptive.

- c. The proposal is putting more pressure on the limited resources and infrastructure of the village.
- d. Two representations have been received from the owners of the neighbouring property to the east on Kirk Lane which raise concerns in relation to privacy and loss of light. The extension and full height windows on the rear elevation would fully overlook their property and rear garden.

PLANNING POLICY

38. The Development Plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the National Planning Policy Framework (2019), the National Planning Practice Guidance and Supplementary Planning Documents (SPD's). The Ruddington Neighbourhood Plan has been submitted to the Borough Council and has been subject to a consultation exercise and the Examiners final report is expected imminently.

Relevant National Planning Policies and Guidance

39. The relevant national policy considerations for this proposal are those contained within the 2019 National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. The following sections of the NPPF are relevant to this application:
- Section 5 - Delivering a sufficient supply of homes.
 - Section 9 - Promoting Sustainable Transport.
 - Section 11 - Making Effective Use of Land
 - Section 12 - Achieving well-designed places.
 - Section 15 - Conserving and Enhancing the Natural Environment.
 - Section 16 - Conserving and Enhancing the Historic Environment.
40. The Council also has a statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability to preserve listed buildings and their settings and a statutory duty under section 72 to give special regard to the desirability of preserving or enhancing the special character and appearance of the surrounding Conservation Area.

Relevant Local Planning Policies and Guidance

41. The following policies of the Rushcliffe Local Plan Part 1: Core Strategy (2014) (LPP1) are considered relevant to this application:
- Policy 1 - Presumption in Favour of Sustainable Development
 - Policy 2 – Climate Change
 - Policy 3 – Spatial Strategy
 - Policy 5 – Employment Provision and Economic Development
 - Policy 8 - Housing Size, Mix and Choice

- Policy 10 - Design and Enhancing Local Identity
 - Policy 11 - Historic Environment
 - Policy 17 - Biodiversity
42. The following policies of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) (LPP2) are considered relevant to this application:
- Policy 1 - Development Requirements.
 - Policy 11 – Housing Development on Unallocated Sites within Settlements
 - Policy 12 - Housing Standards
 - Policy 15 - Employment Development
 - Policy 18 - Surface Water Management
 - Policy 28 - Conserving and Enhancing Heritage Assets
 - Policy 38 - Non-Designated Biodiversity Assets and the Wider Ecological Network
 - Policy 40 - Pollution and Land Contamination
 - Policy 41 – Air Quality
43. The 2009 Rushcliffe Residential Design Guide SPD provides guidance on infill development, highlighting the importance of paying careful attention to the design and layout of infill development to ensure it relates to the existing settlement context and character. This includes respecting the existing massing, building form and heights of buildings within their immediate locality.
44. The draft Ruddington Neighbourhood Plan is not yet adopted. Therefore, whilst it is a material consideration it has limited weight. The following policies would be relevant to this application:
- Policy 1 – Sustainable Access
 - Policy 3 - Acceptable uses in the village centre
 - Policy 6 – Housing mix
 - Policy 11 – Traffic and new development
 - Policy 12 – Parking and Servicing
 - Policy 13 - Conservation Area.
 - Policy 19 – Ruddington Design Guide
 - Policy 20 – Sustainable design
 - Policy 22 – Biodiversity in new developments
45. Part 2 of the neighbourhood plan is a Design Guide. This includes a Design Code for minor development, which includes extensions to buildings.

APPRAISAL

Principle of Development

46. The application site is located within the centre of Ruddington, a 'key settlement' identified for growth under the spatial strategy set out in LPP1 policy 3. It has good access to the settlement's full range of services and public

transport and is considered to be a sustainable location for new residential development.

47. In addition, paragraph 68 of the NPPF states that Local Planning Authorities should “...*support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes...*”
48. Notwithstanding this, the site also represents an existing employment site. Policy 15 of the Local Plan Part 2 concerns the re-development of existing employment sites and states that planning permission should not be granted unless it can be demonstrated that there is no demand for the site or premises for its specified employment use, and that the site is not viable for re-occupation by an alternative business.
49. Paragraph 4.7 of the explanatory text to policy 15 states that the Council will consider releasing existing employment sites for non-employment uses only where they are no longer in demand. This will require evidence that they have been marketed for their intended employment purpose, without success, for a sufficient period of at least 12 months (although this may be varied on a case by case basis) and a financial appraisal to provide evidence that the premises are not economically viable for reoccupation or refurbishment for employment uses.
50. In response to this policy, a report by Corder Commercial, a property surveying company, has been provided with the application. It advises that in terms of a future, viable commercial site there would be the following concerns:
 - The uncertain state of the market, exacerbated by Covid crisis. There is a limited demand for sites in poorer tertiary locations.
 - The street front location, adjoining a busy crossroads junction in the centre of Ruddington village, is not suitable for business use. There is difficult commercial access/loading, limited parking and the site has an awkward layout.
51. It is advised that the premises have been advertised to let as a commercial business since February 2020. Although there have been some enquiries, there have been no viewings, although it is acknowledged that the COVID pandemic has contributed to this. Due to the above factors it is considered unlikely that the vacant premises would be successfully let for commercial use. No financial appraisal has specifically been provided but it is acknowledged that the site layout and age of the buildings are not conducive to modern working requirements. It is therefore concluded, on balance, that the requirements of policy 15 have been satisfied to an acceptable extent.
52. Therefore, new residential development on the site would be acceptable in principle, subject to the design principles meeting the general development requirements of sustainable development, as set out in policy 10 of the LPP1 and policies 1 and 11 of the LPP2, and being acceptable in terms of the impact on the character and appearance of the Conservation Area, in accordance with policy 28 of the LPP2. These matters are discussed in more detail below.

Design principles of the scheme and the impact on the character and appearance of the site and the Ruddington Conservation Area.

53. LPP1 policy 10, Design and Enhancing Local Identity, states that development should make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce valued local characteristics. This is reinforced under policy 1 of the LPP2, which also states that development should be sympathetic to the character and appearance of neighbouring buildings and the surrounding area.
54. Policy 28 of the Local Plan part 2, Conserving and Enhancing Heritage Assets, states that proposals should also preserve and enhance the character and appearance of the heritage asset (in this case the Conservation Area).
55. The building lies on a prominent road junction within the centre of the village and Conservation Area. As noted by the Conservation Officer, the existing, original buildings on the site are identified as positive buildings of special architectural or historic character within the Conservation Area Townscape Appraisal.
56. The application proposes to convert the existing buildings into five residential units. The building fronting High Street would provide two apartments, one on the ground floor and one on the first floor. The plans indicate that there would be no external alterations to the original building, aside from possibly the installation of new windows and doors. The attractive corner frontage of this building would therefore remain.
57. The buildings within the central part of the site and the extensions to the rear of the building fronting Kirk Street are to be removed. These are later additions, constructed with a mixture of flat and pitched roofs and different brick types. They are quite disjointed in appearance and do not complement the existing buildings or make any positive contribution to the character and appearance of the area. There are, therefore, no objections in principle to the removal of these elements.
58. In their place, a new flat roofed two storey extension would be constructed to connect the original buildings on High Street and Kirk Lane. This would have an open undercroft at ground floor level to provide an amenity courtyard for the ground floor flat fronting High Street, as well as a parking space and area for cycle storage and refuse storage. The first floor would provide a further two bedroom apartment. Part of the first floor of the original building fronting Kirk Lane would also form part of this unit. A small flat roofed extension would be added to the eastern side of the building fronting High Street to provide a new staircase up to the first floor, providing access to both this unit and the first floor flat fronting High Street.
59. The flat roofed extension would have two open voids within it where courtyards are to be provided for 2 of the flats. The walls are to be either timber clad or constructed from matching brick, precise details of the materials would be requested for prior approval through a recommended condition. A condition is also recommended requiring submission of details of the new windows and

doors for prior approval, in line with the recommendation of the Conservation Officer.

60. The building fronting Kirk Lane would be converted to provide a further 2 two bedroom, two storey units. Some fairly significant alterations would be made to this building. The ground floor western side elevation wall would be removed to again allow parking spaces under the first floor. The existing flat roofed rear extensions are also to be removed. The new two storey flat roofed extension in the centre of the site would be continued along the rear of the Kirk Lane building, extending this building back by around 1.5 metres. To the rear of this would be two further, small lean-to extensions either side of two courtyards. A new 1.8 metre high brick boundary wall would be built to separate the courtyards from the neighbouring Conservative Club site.
61. It is acknowledged that the Conservation Officer has raised concerns in relation to the design of the scheme, in particular the flat roof design of the extensions and the removal of the side wall of the building fronting Kirk Lane. However, it is also considered that the existing modern extensions in the middle of the site currently detract from the character and appearance of the site and the Conservation Area to a significant extent. The contemporary style of the new extensions would clearly distinguish them as later additions to the original buildings, which could otherwise be difficult to replicate to a satisfactory extent. The proposed scheme should ensure a more coherent appearance to the overall site. When viewed from Kempson Street, the two storey extension would be largely screened by the Conservative Club buildings with limited visibility through a gap between the buildings fronting the street, which is a private road.
62. The loss of part of the side wall of the original building fronting Kirk Lane is regrettable but it is required to provide some parking provision for the development and turning space to allow vehicles to exit the site in a forward gear close to the busy junction. The main elevation of this building fronting Kirk Lane would be retained with minimal alterations to the fenestration of the building.
63. The loss of part of this side wall of the original building fronting Kirk Lane would result in a degree of harm to the character and appearance of the building and the wider Conservation Area, however, this would be deemed to be less than substantial. Paragraph 196 of the NPPF states that, where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.
64. As advised above, it is unlikely that the original buildings would be suitable for modern working practices and therefore a residential use is considered to be the most optimal viable use to preserve the buildings for the future. The proposal would also provide 5, smaller and more affordable dwellings within a highly sustainable location. Therefore, there would be significant public benefits of the proposal. In this case, these benefits are considered to outweigh any harm to the character and appearance of the buildings and the Conservation Area. It is not considered that the development would cause any harm to the setting of nearby Listed Buildings.

65. The proposal is therefore deemed to accord with LPP1 policies 10 and 11 and policies 1 and 18 of the LPP2. The Council also has a statutory duty under section 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving the setting of listed buildings and to the preservation or enhancement of the surrounding Conservation Area respectively. As discussed above, it is considered that the assessment undertaken is compliant with these duties and the proposal is, therefore, considered positively in relation to the duty under the 1990 Act.

The impact of the proposal on the residential amenity of neighbouring properties

66. LPP1 policy 10 states that development should be assessed in terms of its impact on the amenity of nearby residents. This is reinforced under policy 1 of the LPP2, which states that development should not be granted where there is a significant adverse effect upon the amenity of adjoining properties.
67. Due to the siting of the new extensions and the fact that these largely replace existing sections of the buildings, the proposal should generally have little additional impact on the amenity of occupiers of neighbouring properties, however, concerns have been raised by the owners of the neighbouring residential property to the site on Kirk Lane. The concerns relate to additional overlooking and overshadowing.
68. The conversion of the building fronting Kirk Lane into 2 two bedroom dwellings would specifically affect this property. The single storey flat roofed section at the rear of the main building would be replaced with a new two storey flat roofed extension, around 1.5 metres deep. The new rear elevation wall would contain new openings at ground and first floor level. At first floor there would be doors and Juliet balconies.
69. The rear elevation wall of the two storey building currently has no openings and, therefore, it is appreciated that the proposal could result in a degree of additional overlooking above that which currently exists. However, overlooking onto rear garden areas between properties is generally considered to be reasonable within a built-up urban area. As such it is considered that there would be insufficient grounds upon which to refuse this element of the application.
70. The plans indicate that the new rear extension on the building would project back for around a metre beyond the rear elevation of the neighbouring dwelling. However, this limited projection and the separation distance between the buildings ensures compliance with the 45 degree principle, as set out within the Residential Design SPD and used as a guide to assess the potential impact of an extension on the light and outlook of a neighbouring building. Therefore, whilst the concerns of the owners of the neighbouring property are acknowledged, in practice the extension should not result in significant adverse harm to this property.
71. There are windows within the rear elevation of the Conservative Club building which face the application site at very close proximity, in particular the first floor apartment in the new extension in the central part of the site. The higher roof

height of the extension may impact on the outlook and light to these windows, however, this building does not appear to be in any residential use and these windows are already fairly compromised by the location of the building. The plans indicate that the boundary wall would be raised in height to prevent overlooking between these windows and the bedroom and courtyard amenity space to be created for this dwelling.

72. The proposal is, therefore, deemed to accord with LPP1 policy 10 and policy 1 of the LPP1 in terms of its impact on the residential amenity of neighbouring occupiers.

Parking and Highway Matters

73. Concerns have been raised by the Ward Councillor, Parish Council and local residents in relation to a lack of parking provision for the proposed scheme. Four spaces in total would be provided, in addition to a cycle storage area. It is acknowledged that this would be likely to represent an under provision, compared with the number of dwellings being provided, however, the County Council Highway Officer has advised that there would be no objection to this, given that street parking around the area surrounding the site is already restricted. It is also noted that the site is located in a highly sustainable location and close to public transport provision. Consideration should also be given to the likely traffic generation when this site was used for commercial purposes.
74. The site is located close to a busy road junction, but the design of the scheme allows vehicles to leave the site in a forward gear. The Highway Officer is satisfied that the proposal would not compromise highway safety. The recommended conditions would be added to the permission and, with these provisions, it is concluded that the proposal would accord with policy 1 of the LPP1.
75. A condition is also recommended to request details for approval of electric vehicle charging points within the development, in order to reduce carbon emissions and improve air quality in accordance with the aims of LPP1 policy 2 and policies 1 and 41 of the LPP2.

Ecology Matters

76. No ecological survey was submitted with the application, although the Council's Environmental Sustainability Officer has confirmed that the site is unlikely to support protected or priority species. No additional surveys are therefore deemed to be necessary.
77. In accordance with policy 38 of the Local Plan Part 2, all new development is expected to achieve net gains in biodiversity. A condition is therefore recommended for proposals to be submitted for approval.
78. The proposed development is, therefore, deemed to comply with policy 38. It is reasonably considered that the proposal would not result in any harm to protected species or habitats and has the potential to achieve net gains in biodiversity.

Environmental Health Matters

79. A pre-commencement condition has been recommended by Environmental Health in relation to the provision of a construction method statement. This has been agreed by the Agent and added to the permission due to the location of the site close to a busy road junction, the proximity of neighbouring residential properties and the limited space within the site.
80. A condition is also recommended for the provision of a sound insulation scheme for prior approval in line with the recommendations of Environmental Health.

Conclusion

81. The application site is located within a sustainable settlement, identified for new residential development under the Local Plan and the proposal would provide 5 new residential units and a long term viable use for existing buildings which are identified as positive buildings within the Conservation Area. These factors are considered to outweigh the limited harm to the form and appearance of the original buildings. The proposal therefore complies with the relevant planning policies and is recommended for approval
82. The application was the subject of pre-application discussions and the submitted scheme is in line with these discussions, resulting in a recommendation to grant planning permission.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following plans:

Site Plan, drawing number SP01
Site Plan, drawing number SP02
Proposed Ground Floor Plan, drawing number 03, revision B
Proposed First Floor Plan, drawing number 04, revision B
Proposed Elevations, drawing number 06, revision B
Proposed Rear Elevations, drawing number 07, revision C
Roof Plan, existing and proposal, drawing number 08
Courtyard Sectional Elevation, drawing number 09
Sectional Elevations (proposed), drawing number 10, revision A
Sectional Elevations (proposed), drawing number 11, revision A
Block Plan, drawing number 12
Sectional Elevations (proposed), drawing number 14
Schematic Explanation of proposal, drawing number 15, revision A

Proposed Rear Elevations, drawing number 15, revision C

[For the avoidance of doubt and to comply with policy 10 of the Core Strategy and policy 1 of the Local Plan Part 2.]

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to the Local Planning Authority for approval. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. measures to control noise, dust and vibration during construction.

[To prevent any adverse impact on the highway network and protect the amenities of neighbouring residential properties, in accordance with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. This is a pre-commencement condition to ensure that adequate measures are in place prior to work commencing on site].

4. No construction of the external walls of any new extensions to the existing buildings shall commence or roof covering added until specific details of the facing and roofing materials to be used on all external elevations are submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies].

5. Prior to their installation, detailed plans of any new doors, windows and any other openings to be installed within the buildings, together with details of proposed finishes, shall be submitted to and approved in writing by the Local Planning Authority. All new windows and doors on the Kirk Lane and High Street frontages of the building shall be installed to open inwards only. The development shall be carried out in accordance with the approved details.

[In the interest of pedestrian safety and to ensure the appearance of the development is satisfactory and to, to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies].

6. Prior to occupation of any of the dwellings hereby approved, a sound insulation scheme to effectively reduce the transmission of noise from external sources shall be submitted to and approved by the Local Planning Authority. It shall

have regard to both BS 8233:2014 Sound Insulation and Noise Reduction for Buildings stating all assumptions made.

If required a complementary ventilation scheme shall also be submitted to and approved by the Local Planning Authority. This scheme shall be designed to ensure that the windows can remain closed. This will retain the integrity of the noise insulation scheme, whilst ensuring the provision of the ventilation required by the Building Regulations.

The upper limit for living rooms shall be an LAeq, 16h of 35dB, and for bedrooms an internal LAeq,8h of 30dB and an LAm_{ax} of 45dB. Furthermore, the Noise Rating Curve of 30 shall not be exceeded in any octave band.

The agreed details shall be fully implemented prior to occupation of any of the dwellings.

[To protect the amenities of future occupiers of the development, in accordance with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 (Development Requirements) and policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. Prior to occupation of any of the dwellings hereby approved details of a scheme to achieve a net gain in biodiversity, for example the provision of bird and/or bat boxes, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to any part of the development being brought into use and shall be retained for the lifetime of the development.

[To achieve a net gain in biodiversity, in accordance with Policy 17 (Biodiversity) of the Local Plan Part 1: Core Strategy and Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. Prior to occupation of any of the dwellings hereby approved details of a refuse collection point shall be submitted to and approved in writing by the Local Planning Authority. The development shall then take place in accordance with the approved details and the refuse collection point shall be provided prior to occupation of any of the flats and thereafter retained for the lifetime of the development.

[To prevent bins from being stored on the highway on collection days, to comply with policy 1 of the (Development Requirements) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies.]

9. No part of the development hereby permitted shall be brought into use until the existing site access that has been made redundant and as shown on plan reference Proposed Ground Floor Plan, drawing number 03, revision B, dated 12/2018 is permanently closed and the access crossing reinstated as footway in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority

[To protect the structural integrity of the highway and to allow for future maintenance, to comply with policy 1 of the (Development Requirements) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies].

10. No part of the development hereby permitted shall be brought into use until the details of the provision of Electric Vehicle Charging Points has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to occupation of any of the dwellings hereby approved and the charging points shall be retained thereafter for the lifetime of the development.

[To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change, in accordance with policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1 : Core Strategy and policy 41 (Air Quality) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies]

11. No part of the development hereby permitted shall be brought into use until the parking/turning areas are provided in accordance with the submitted plan reference Proposed Ground Floor Plan, drawing number 03, revision B, dated 12/2018. The parking/turning areas shall be maintained in a bound material for the life of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.

[To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area, to comply with policy 1 of the (Development Requirements) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies].

12. No part of the development hereby permitted shall be brought into use until the cycle parking provision, as indicated on drawing reference Proposed Ground Floor Plan, drawing number 03, revision B, dated 12/2018 has been provided. The cycle stands shall be covered and lockable for security and that area shall not be used thereafter for any purpose other than the parking of cycles.

[To promote sustainable travel, in accordance with policy 2 (Climate Change) of the Rushcliffe Borough Local Plan Part 1: Core Strategy and policy 1 of the (Development Requirements) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies].

13. The approved flats shall be constructed to meet the higher Optional Technical Housing Standard for water consumption of no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

Notes to Applicant

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development is CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

The development makes it necessary reinstate the existing vehicular crossing over a footway of the public highway to a footway. These works shall be carried out to the satisfaction of the Highway Authority. You are therefore required to contact the County Council's Highway Management Team on 0300 500 8080 to arrange for these works to be carried out.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins.

Condition 13 requires the new dwellings to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission. Guidance of this process and the associated requirements can be found in Approved Document G under requirement G2, with the requirements laid out under regulations 36 and 37 of the Building regulations 2010.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

The provisions of the Party Wall Act 1996 may apply in relation to the boundary with the neighbouring property. A Solicitor or Chartered Surveyor may be able to give advice as to whether the proposed work falls within the scope of this Act and the necessary measures to be taken.

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

It is possible that the roofspace, and/or behind the soffit, fascia boards, etc. may be used by bats. You are reminded that bats, their roosts and access to roosts are

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protected and it is an offence under the Countryside and Wildlife Act 1981 to interfere with them. If evidence of bats is found, you should stop work and contact Natural England on 0300 060 3900 or by email at enquiries@naturalengland.org.uk.