

AGENDA ITEM

COMMITTEE: DEVELOPMENT CONTROL

DATE: 23RD FEBRUARY 2005

SUBJECT: 114-134 MIDLAND ROAD.
RETENTION OF EXISTING BUILDING, CONVERSION
AND NEW BUILD TO PROVIDE 114 RESIDENTIAL
UNITS WITHIN A MIXED USE DEVELOPMENT.
(APPLICANT: REDEHAM HOMES LTD)
(APPLICATION NO: 04/01768/FUL).

REPORT BY: DEVELOPMENT CONTROL MANAGER

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IMPLICATIONS:

LEGAL	COMMUNITY SAFETY
EQUALITIES	ENVIRONMENT
FINANCIAL	CONSULTATIONS
STAFFING	OTHER

WARDS AFFECTED: HIGH TOWN

PURPOSE

1. To advise Members of the current application for planning permission and to seek their decision.

RECOMMENDATION(S)

2. That planning permission is refused for the following reason: -
 - (01) The proposed extensions to the building, by reason of their siting, scale and design will be out of scale and character with the existing building. As a consequence they will detract from the architectural form and proportions of the existing building and will therefore lead to a loss of visual amenity in the locality to the detriment of the character of the surrounding area, and will set an undesirable precedent for further proposals of a similar nature. The proposals will thereby be contrary to Policies BP1, E1, and E8 of the Borough of Luton Local Plan.

BACKGROUND

3. The application relates to the development of 114-134 Midland Road.

REPORT

The Proposals

4. Planning permission is sought to retain the existing building and undertake conversion and new build to provide 114 dwellings. Planning permission was previously granted under reference 03/01076/FUL to provide 96 residential units, involving the addition of a further 3 storeys on top of part of the existing building. The proposed development now intends the addition of a further floor on the rear element of the building and redesign of the previously approved roof-top extensions to increase the number of units from 96 to 114 units.

5. The application site has a site area of 0.0237 hectares and the development involves retention and extension of the existing building.

Site and Surroundings

6. The site is occupied by a 5 storey commercial building, including basement, which was originally constructed as a hat factory employing 400 people. It is currently being refurbished and extended in accordance with the planning permission granted under the above-mentioned reference.

7. The original proposal sought to add 2 storeys to the whole of the existing building and a further storey on the corner of the building adjacent to the junction of Midland Road and Dudley Street. The proposal also involved a new extension on land at the rear, incorporating a 48-space basement car park. Overall, the building, as a consequence of the grant of the previous grant of planning permission would have 4 extra levels added to its current form, 3 on the top and 1 beneath (the car park). Amenity space provision was shown in the form of ground floor gardens to the rear and to the flanks of the rear extension and a roof terrace along the full length of the extended building.

8. The current application proposes the provision of 57 one bed units and 57 two bed units. This will mean that there would be 18 extra residential units when compared with the approved scheme. The nightclub in the basement and ground floor units are still shown retained and the first floor will also remain in commercial use.

9. The site is zoned as part of an Employment Area as indicated on the Proposals Map of the Adopted Borough of Luton Local Plan.

Planning History

10. Reference has been made to the grant of planning permission under reference 03/01076/FUL for the development of the site for 96 residential units within a mixed-use development (17.08.04).

Relevant Planning Policy

11. The site is located in an area identified as an Employment Area on the proposals map in the Borough of Luton Local Plan. The relevant Policies are BP1, EMP1, EMP2 and T7. Notwithstanding these policies, the principle of the change of use has already been established by virtue of the grant of planning permission under reference 03/01076/FUL.

Consultations and Publicity

12. As a result of technical consultations the following responses have been received:-

13. Environmental Health (Environmental Protection) – No comments received.

14. Police Architectural Liaison Officer – No comments received.

15. Thames Water – No objections.

16. Building Control – No comments received.

17. London Luton Airport – No objections, subject to details of any craneage or false works, being provided.

18. Housing Policy Officer – No comments received.

19. Capital and Asset Management – No comments received.

20. Highway Engineer – No comments received.

21. Strategic Planning – No comments received.

22. Three Valleys - Groundwater protection to be undertaken in accordance with British Standards.

23. Bedfordshire Fire Service – No comments received.

24. Environment and Heritage Team – No comments received.

25. Details of the application have been notified to local occupiers. A site notice has been posted, and details of the application published in the paper. No letters of objection have been received.

Main Considerations

Policy

26. The application site is located in an area which is identified in the Adopted Borough of Luton Local Plan as being an Employment Area; the relevant Policies are EMP1 and EMP2. EMP1 [D] presumes against development outside Use Classes B1 - B8, except where such a change of use is required to achieve significant environmental improvements.

Policy EMP2 also gives priority to retaining land in existing employment uses and seeks to encourage its re-use and regeneration.

27. However as a consequence of the grant of planning permission under reference 03/01076/FUL the principle of the use of the site for a residential use within a mixed development has already been established.

Street Scene Impact

28. The main front elevation of the building would not alter. The alterations proposed are to the rear of the main façade. However, as a consequence of the orientation of the site the rear part of the site would have a visual impact on the Midland Road elevation and would be highly visible from vantage points across the inner area of the town. At present there is a transition from the approved 3 storey addition to the two storey element of the approved extensions which provides visual interest and relates reasonably well to the existing building. However, the proposed extra units, incorporated in an extension which has less definition and variety, would appear as an overdominant structure in the street scene, whose bulk and massing would be detrimental to visual amenity.

Impact on Adjoining Occupiers

29. The surrounding area is largely commercial in nature. As before, it is not considered that the proposed uses or the extensions to the building would directly affect the adjoining occupiers in terms of loss of light or overshadowing.

30. The impact on the residential properties at 100 to 112 Dudley Street will be no greater than that previously approved.

Design

31. The upper floor elements of the approved scheme provided a “quasi mansard” effect, which, although unrelated to the existing building, nevertheless showed an innovative approach to the design of the extension of the existing property. The associated variations in roof height provided a pleasing visual transition between the two elements. The current proposal would remove this transition and the resulting development would provide a development which would appear dominant and visually intrusive in terms of its scale, massing and bulk.

32. It is considered that, having regard to the foregoing analysis, the proposed development, as a consequence of its size mass and bulk, would be out of character with and detrimental to the character and visual amenities of the area.

Highway Issues

33. There are no highway objections to the proposals and, given the site’s location relative to the bus and railway stations, the issue of car parking is not one sufficient to justify a refusal.

Amenity Space

34. The plans provide amenity space for communal use by way of decked areas, as described earlier in the report and the arrangements are no different to those previously considered acceptable.

Parking

35. There are no alterations to the level of car parking proposed namely 42 spaces for the 114 flats and 6 spaces for the commercial use. Given the site's location close to the railway station and the town centre, the level of car parking may be considered acceptable.

CONCLUSIONS

36. For the reasons set out above, it is considered that the application should be refused.

LIST OF BACKGROUND PAPERS **LOCAL GOVERNMENT ACT 1972, SECTION 100D**

37. Borough of Luton Local Plan 1997.

38. Application File No. 04/01768/FUL.