
APPLICATION DETAILS

Application No:	20/0374/FUL
Location:	Land adjacent to Ayresome Gardens
Proposal:	Erection of part-three, part-four storey residential accommodation comprising 74no. beds for student accommodation (sui generis)
Applicant:	Arif Mushtaq
Agent:	Mario Minchella Architects
Ward:	Newport
Recommendation:	Refuse

UPDATE REPORT

Summary

The purpose of this report is to inform the Committee of the responses received from the agent and applicant following the issues raised by Members at the previous meeting. This includes points of clarification and revised plans relating to the following matters:

- The potential impact on the trees in the park including their influence on the likely residential amenities of future occupiers.
- The proposed parking arrangements to facilitate drop-offs/pick-ups of students.
- Waste store arrangements and functionality.
- The practicality of the cycle store arrangements.

In addition to the above, this report will also cover the issues of the access to the alleyway, the installation of alley gates, and other permissions required to access the site.

As this update report does not include all matters under consideration, it needs to be read in conjunction with the original Officer report which put forward a recommendation for refusal. Notwithstanding the submission of additional information as discussed in the following paragraphs, it remains the Officer recommendation to refuse planning permission.

The scheme has been confirmed by the applicant as now being for student use only rather than including potential use as a HMO (House in multiple occupation). The no. of beds has also been reduced from 75 to 74.

Trees

The footprint of the proposed building would be close to the northern boundary with Ayresome Gardens, where a number of trees are situated along the boundary. The distance between the principal elevation and the trees is approximately two metres. This includes four mature trees and many saplings that have recently been planted.

In the event of approval, it is considered that the construction of the building would have two principal implications. Although the trees could be retained alongside the development, it is likely that the construction works would have lasting harmful impacts on their structural integrity and the general health and conditions of the trees placing a burden for their future removal. Additionally, any trees sought to be retained are likely to have significant impacts on the general living conditions of certain rooms. Given the proximity of the trees, it is likely that many room windows would be severely obscured by the canopies of the trees, and therefore require constant maintenance or face significant pressure for lopping or felling on a regular basis

If Members were minded to approve the application, Officers would recommend that all the trees adjacent to the northern boundary be removed and replacements of an equivalent or suitable quality be planted in an appropriate location, which may be away from the locality. As this is a need associated with the development of the site, it is considered appropriate for the development of the site to bear that cost. To secure this, a legal agreement – a Section 106 agreement – would need to be entered into between the Council and the developer.

Parking Arrangements

Officers have previously raised concerns over the lack of parking spaces within the site to allow the drop-off and pick-up of students at the start and end of term. Members of the Committee shared these concerns and, subsequently, a revised scheme has been submitted showing four parking spaces within the boundary of the application site. It is noted that the footprint at the eastern end of the building has been modified in order to achieve four standard parking spaces, with the laundry room and the stairwell being reorganised.

Although four vehicle parking spaces have been introduced, their position and arrangement raises concerns as to whether two of the spaces can be reasonably used given the limited width of the alleyway which would be required for reversing manoeuvres.

Waste Store

The original Officer report considered there to be a shortfall in the waste store provision, as sufficient information had not been provided as to the arrangements for storage and collection of waste from the proposals. The original drawings showed one waste store that accommodated four Eurobin style bins, which was considered an under provision for the size of the development and the number of future occupiers.

Revised drawings have been submitted showing two proposed waste stores with a capacity for accommodating ten Eurostyle bins. In addition, roller shutter-style doors have been introduced on the rear elevation to enable bins to be taken out into the alleyway for collection. It has also been confirmed that a private contractor will be employed to carry out collections up to twice a week. It is assumed that the private collection of bins would include the collection from the premises rather than requiring the bins to be pulled to the highway. This is a matter for the management of the premises. Should any bins be left out or obstruct the adopted alleyway, this would be a matter for the council's highways enforcement team.

Based on the revised drawings and additional information, the waste storage and collection arrangements are considered to be acceptable.

Cycle Parking

The original Officer report stated that the applicant had not demonstrated how many cycles could be stored within any of the cycle stores shown on the submitted drawings. The revised drawing shows the demarcation of the cycle parking areas, with each space measuring approximately 0.8m x 1.0m. These are open to the corridors on each floor of the building meaning that cycles would need to be either carried up the stairs or taken up in the lift which is relatively small in size. Whilst its clear a certain amount of cycle parking could be achieved on each floor, the size of the cycle spaces indicated does not meet the design guide standard of 0.5m x 1.8m.

In view of these matters, it remains the Officer view that the functionality of the cycle stores fails to represent good development and will result in the poor operation of the building when occupied and also fails to take the opportunity to promote the use of cycles as a viable alternative mode of transport which is considered to be best practice in both local and national planning policy.

Alley gates and access matters

At the December meeting, Officers brought the issue of the alley gates to the attention of Members. The following is for clarity on those matters discussed at the meeting.

The council's planning officers have been advised from the other internal departments that although the alley gates have been installed within the alleyway, this is without the formal consent or required legal mechanisms of the authority. Equally, again whilst not a planning matter, it was stated on behalf of the applicant at December's meeting that all relevant permissions to gain access across Council land had been asked for and given. The Council's Land and Property team have advised that there are no legal agreements in place between the Council and applicant regarding access. This has been brought to the applicant's attention.

For clarity, these are matters which fall outside of planning considerations and should therefore not influence the planning decision, although will need to be addressed by the applicant / developer were permission to be granted.

Other Matters

As noted in the Parking Arrangements section, the footprint of the building has been altered in order to provide the four parking bays. This has resulted in some changes to the room arrangements, the main ones are identified below:

- Communal lounge areas from the ground, first and second floors have been reduced from 2 to 1.
- The laundry/store areas on each floor have been removed, with a smaller laundry area being introduced at the eastern end,
- The stairwell at the eastern end of the building has been repositioned 90 degrees with access being achieved at the side elevation.

The communal space is relatively limited following this reduction, however, is considered to be sufficient from a planning perspective. Notwithstanding this, the premises would need to

be licensed via the council's housing team and would need to accord to their standards of provision and size although accordance with licensing standards is not a planning matter.

Conclusion

The above matters of contention, along with the original Officer concerns regarding the design and scale of the building, remain considerable issues and the recommendation remains to be to refuse consent in line with the reasons given in the original report.

Although the revised drawings are considered to reasonably address the issue of the waste storage and collection, it is the Officer view that the cycle stores and their associated impracticality, as well as the cramped parking arrangements remain to be unacceptable as they represent poor design, and whilst the matter of tree removal, replacements and replanting can be addressed by a legal agreement this does not overcome the other matters.

Officer: Peter Wilson

Committee Date: 11.03.2022

