

**Report of the Chief Executive**

**APPEAL DECISION**

<b>APPLICATION NUMBER:</b>	<b>21/00101/FUL</b>
<b>LOCATION:</b>	<b>42 - 48 Henry Road, Beeston, Nottinghamshire, NG9 2BE</b>
<b>PROPOSAL:</b>	<b>Convert existing ground floor garages and alterations to 2 no. first floor apartments to create 2 no. (4 bedroomed) C4 Apartments</b>

**RECOMMENDATION BY OFFICER - APPROVE**

**LEVEL OF DECISION: PLANNING COMMITTEE RESOLVED THAT PERMISSION BE REFUSED**

**REASON FOR REFUSAL –**

1. The proposed and potential further intensification of residential use within Class C4, the decrease in off-street parking and location near a turning head at the end of a long residential cul-de-sac would result in a concentration of houses in multiple occupation, a loss of relatively greater-needed housing, and a harmful impact on the character of the area and on safe and convenient access, contrary to the draft Houses in Multiple Occupation Supplementary Planning Document (2022), Policies 8 and 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Section 12 of the NPPF (2021).
2. The proximity of nearby buildings to the proposed new windows would result in an insufficient outlook for future occupiers contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Section 12 of the NPPF (2021).

**APPEAL ALLOWED**

The Inspector considered the main issues to be the effect of the proposed development on the character of the surrounding area, the greater-needed housing in the Borough, highway safety and the living conditions of future occupiers, with particular reference to outlook.

The Inspector considered information supplied in relation to the number of HMOs in the area and the Houses in Multiple Occupation Supplementary Planning Document (SPD) – that since the decision the draft version has been adopted with changes made. The Inspector noted that the information provided suggests that the proposal would not lead to a cluster or concentration of HMOs in this part of the Borough. That the concentration of housing in the street and surrounding area is Use Class C3 dwellings and therefore the proposal would add to the mix of dwelling types in the surrounding area. The proposal would therefore support the creation of a sustainable, balanced, inclusive, and mixed community and comply with the SPD.

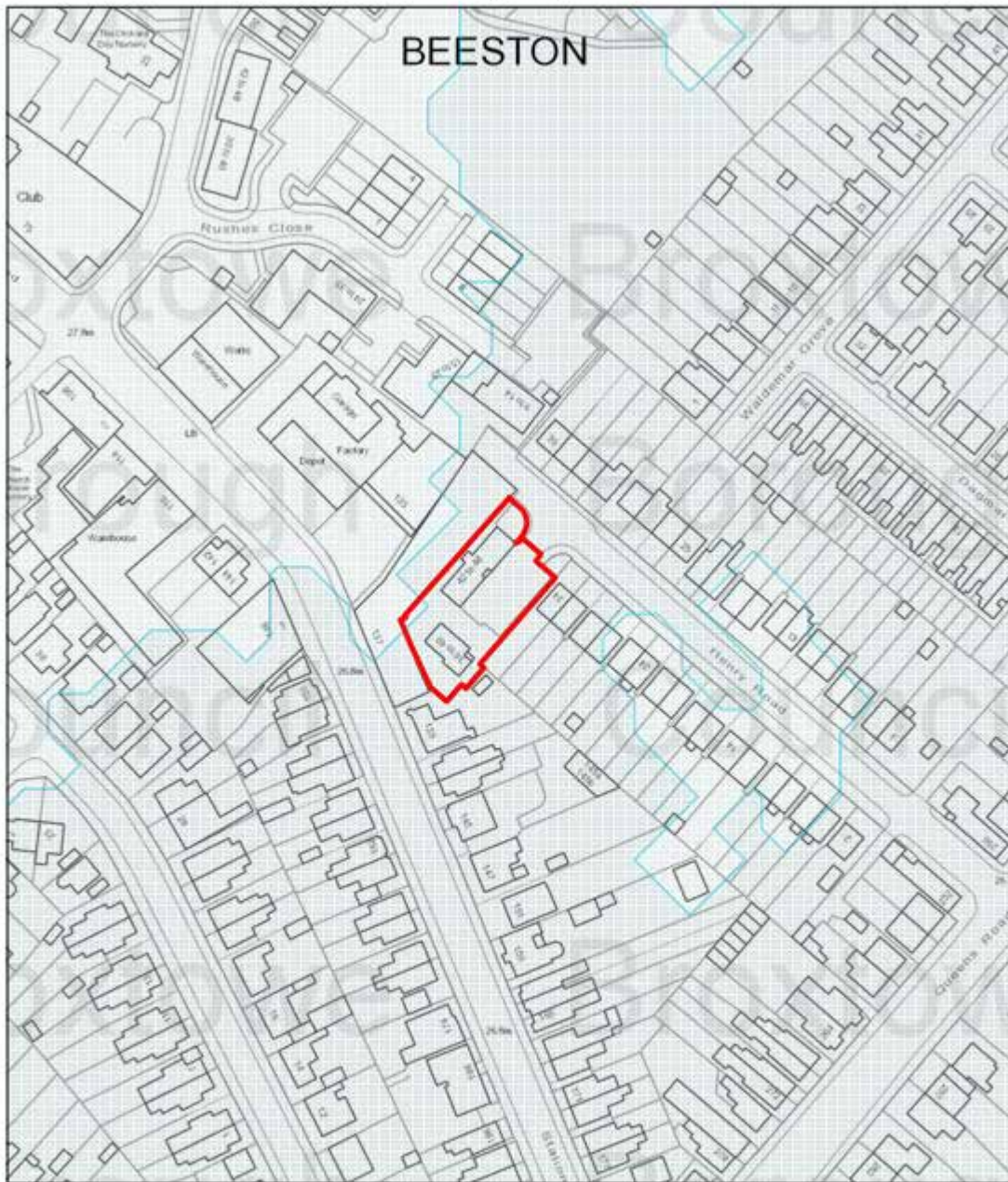
In terms of housing type, no evidence had been provided that the current housing type has a greater need than that proposed, the proposal would not lead to a loss of greater-needed housing type and that the apartments would still be available to rent. The proposal would also utilise a purpose built apartment where currently the second bedroom size does not meet

minimum size as set out in the national housing standards and adds to the mix of housing within Henry Road.

In regards to Highway Safety, the Inspector noted concerns that parking is already problematic within the surrounding area and that the proposed change of use could further exacerbate this problem. However, this would not in itself cause harm to highway safety. In respect of the loss of garages, both parties concede that the garages are not of a size that can accommodate a vehicle. Parking spaces to the front would increase from 8 to 10 spaces, and access to the site would not be altered with vehicles able to turn and exit the site in a forward gear. Transport options are nearby and services are within walking distance, therefore, future occupiers of the proposal would have access to a range of services, facilities and sustainable modes of transport without reliance on the private car. Therefore, the proposed change of use would not result in an intensification of parking in the surrounding area that would lead to a highway safety issue.

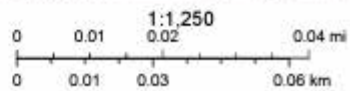
In respect of outlook, the Inspector found that the proposed development would not adversely affect the living conditions of future occupiers.

### 42-48 Henry Rd, Beeston



5/11/2022, 4:18:05 PM

-  Flood Zone 2
-  Flood Zone 3
-  Site



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