

Report of the Chief Executive

APPLICATION NUMBER:	24/00784/FUL
LOCATION:	108 Long Lane, Attenborough, NG9 6BW
PROPOSAL:	Change of use from 6 bed HMO (Use Class C4) to 7 bed HMO (Sui Generis).

The application is brought to the Committee at request of Councillor P A Smith.

1. Purpose of the Report

The application seeks planning permission for a change of use from a 6 Bed HMO (Class C4) to a 7 Bed HMO (Sui Generis).

2. Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix.

3. Detail

The application site is a two storey semi-detached dwelling, with the principle access route of Long Lane to the north and rear garden to the south.

The site received permission for a two storey side extension under reference 23/00800/FUL.

The site was also granted a certificate of lawfulness for the change from a residential (C3) to a small HMO (6 persons) under reference 24/00562/CLUP. The change was considered to fall under permitted development as the site is outside of the Beeston Article 4 area.

The main issues relate to whether the change of use from a 6 bed HMO (Use Class C4) to a 7 bed HMO (Sui Generis Use) would negatively impact parking, whether the use is out of keeping with the street scene and whether there will be insufficient communal space for the residents.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6 Data Protection Compliance Implications

Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers

Nil.

Appendix

1. Details of the application

- 1.1 The application seeks permission from a change of use from a 6 bed HMO (C4) to 7 bed HMO (Sui Generis).
- 1.2 The proposal would see the existing living room, located at the front ground floor of the dwelling, being turned into an additional bedroom. The proposed bedroom will have an en-suite.

2. Site and surroundings

- 2.1 The application site is a two storey semi-detached dwelling, with Long Lane to the north and rear garden and the train line to the south.
- 2.2 The dwellinghouse consists of red brick and white render, with the two storey side extension being red brick to match the existing dwelling, with the roof set lower and the principle elevation also being set back from the original dwelling.
- 2.3 Adjacent to the west is number 106 Long Lane and to the east is number 110 Long Lane. Facing the site from the north is number 113 Long Lane.

3. Relevant Planning History

3.1

04/00636/FUL	Rear conservatory	PERC
22/00795/FUL	Construct detached dwelling, including demolition of garage	REF
23/00800/FUL	Construct two storey side extension.	PERC
24/00448/CLUP	Certificate of Lawfulness for proposed change of use from a dwellinghouse (Use Class C3) to a small HMO (Use Class C4) providing 6 bedrooms and installation of 4no. windows to the side elevation.	REF

24/00562/CLUP	Change of use from a dwellinghouse (Use Class C3) to a small HMO (Use Class C4) providing 6 bedrooms and installation of 4no. windows to the side elevation.	APPROV
24/00710/VOC	Variation of condition 2 of planning permission 23/00800/FUL to amend approved plans	PERC

4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy 1: Climate Change
- Policy 8: Housing size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019**

The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 1: Flood Risk
- Policy 15: Housing size, Mix and Choice
- Policy 17: Place-making, Design and Amenity

4.3 **National Planning Policy Framework (NPPF) 2024**

- Section 5: Delivering a sufficient supply of homes.
- Section 12: Achieving Well-designed places.

4.4 **National Design Guide 2021**

- Section Homes and buildings: Healthy, comfortable and safe internal and external environment.

5. Consultations

5.1 3 neighbours were consulted on the application. 3 objections were received. These were on the basis of the HMO being out of keeping with the surrounding area, poor transport links, parking, highway safety, noise/disturbance and visual impact.

- Councillor H Faccio – no comment
- Councillor T J Marsh – no comment

- Councillor P A Smith – Attenborough and Chilwell East Ward – requested application goes to Committee.
- **Environment - Bins** – The current bin provision caters for 6 bed; this must be reviewed to ensure there is sufficient space available for additional waste. They must ensure that the bin storage caters for any additional bins, bin store must be accessible in order for bin team to safely manoeuvre the bins to the refuse vehicles.
- **Private Sector Housing** – No objection
- NCC Highways – No objection.
- Environment Agency – Objected to the proposal. In the absence of an acceptable flood risk assessment we object to this application and recommend refusal. The submitted FRA does not comply with the requirements for site specific flood risk assessment and fails to consider how:
 - People will be kept safe from identified flood hazards
 - Consider how a range of flood events will affect people and property
 - Consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme events.

In order to overcome the objection, the applicant should submit a revised FRA which addresses the points highlighted above. This has been requested from applicant.

6. Assessment

6.1 Principle

6.1.1 The main issue for consideration is whether an increase from 6 persons to 7 would cause issues with parking, be an inappropriate feature within the street scene and whether the communal space will be sufficient for the residents, following the change from the living room into an additional bedroom.

6.2 Design

6.2.1 Policy 10 (d and e) states that massing, scale, proportion, materials and architectural style will be considerations when assessing development.

6.2.2 There will be no external alterations to the dwellinghouse, the change will be internal and will see the existing living room changed into a seventh bedroom.

6.2.3 It is considered that the proposed design will be acceptable, as the massing and scale of the house will not change.

6.3 Amenity

6.3.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

6.3.2 It is considered that the amenity impact, particularly that of loss of light, privacy or overlooking, should be minimal from the change from 6 to 7 persons, to any of the neighbouring properties. This is because there are no new windows proposed and the massing and scale will not change. It is unlikely that the amenity impact from one additional person will be detrimental.

6.4 Access and Highway Safety

6.4.1 Highways have raised no objections to the proposal.

6.4.2 There will be 4 parking spaces available on the site, two to the front of the principle elevation and 2 to the side. The existing garage will be used as a bike store, with 7 bike storage spaces available.

6.4.3 The applicant states in the transport note received that the site is an approximate 12-minute walk from Attenborough Train Station.

6.4.4 The applicant undertook two parking surveys, one on a Thursday at 20:00 and 00:00 and Saturday at 08:00, 12:00 and 17:00 hours. The figures for Long Lane, which calculated there being 56 spaces available on the Thursday and 57 on the Saturday – was calculated using the length of the road divided by the average car length.

6.4.3 This means that if all 7 occupants drive, 3 will be required to park on Long Lane. It is considered that there is sufficient space and availability for parking on the street without detriment to highway safety.

7. Planning Balance

7.1 Whilst acknowledging that the proposal will see an additional occupant at the site, it is considered that the design, amenity, access and principle of the proposal are acceptable.

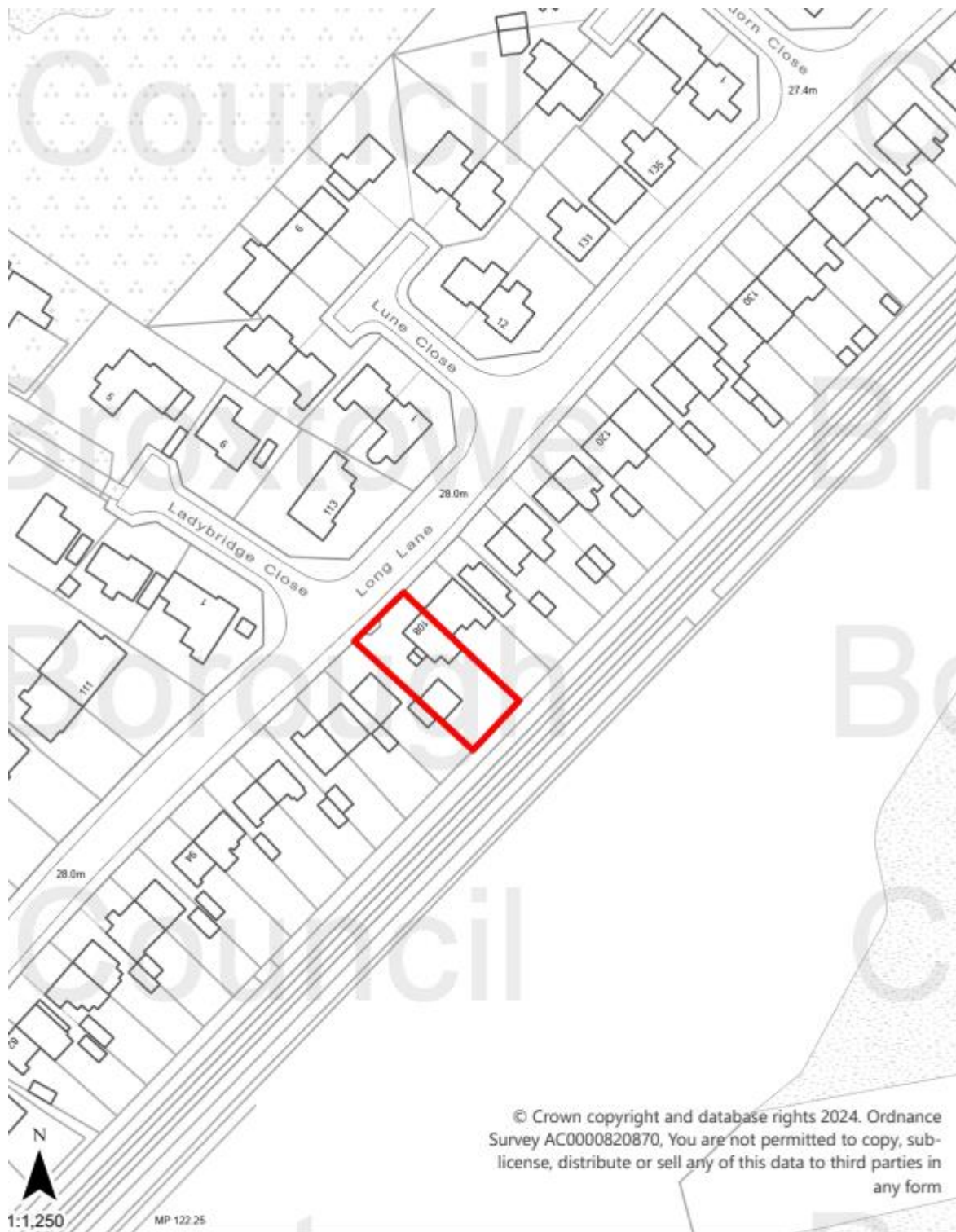
8. Conclusion

It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality and comments raised in representations received,

the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The proposed change of use from a C4 HMO to 7-bed HMO (sui generis) shall be carried out in accordance with the Site Location Plan (1:1250), Block Plan (1:500), Proposed Floor Plans ref: 240302(PL)03 and Proposed Elevations ref: 240302(PL)05 received by the Local Planning Authority on 22 November 2024.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
NOTES TO APPLICANT	
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>

Map



Legend

 Site

Plans (not to scale)



1 Front Elevation (Along Long Lane)
Scale: 1:100

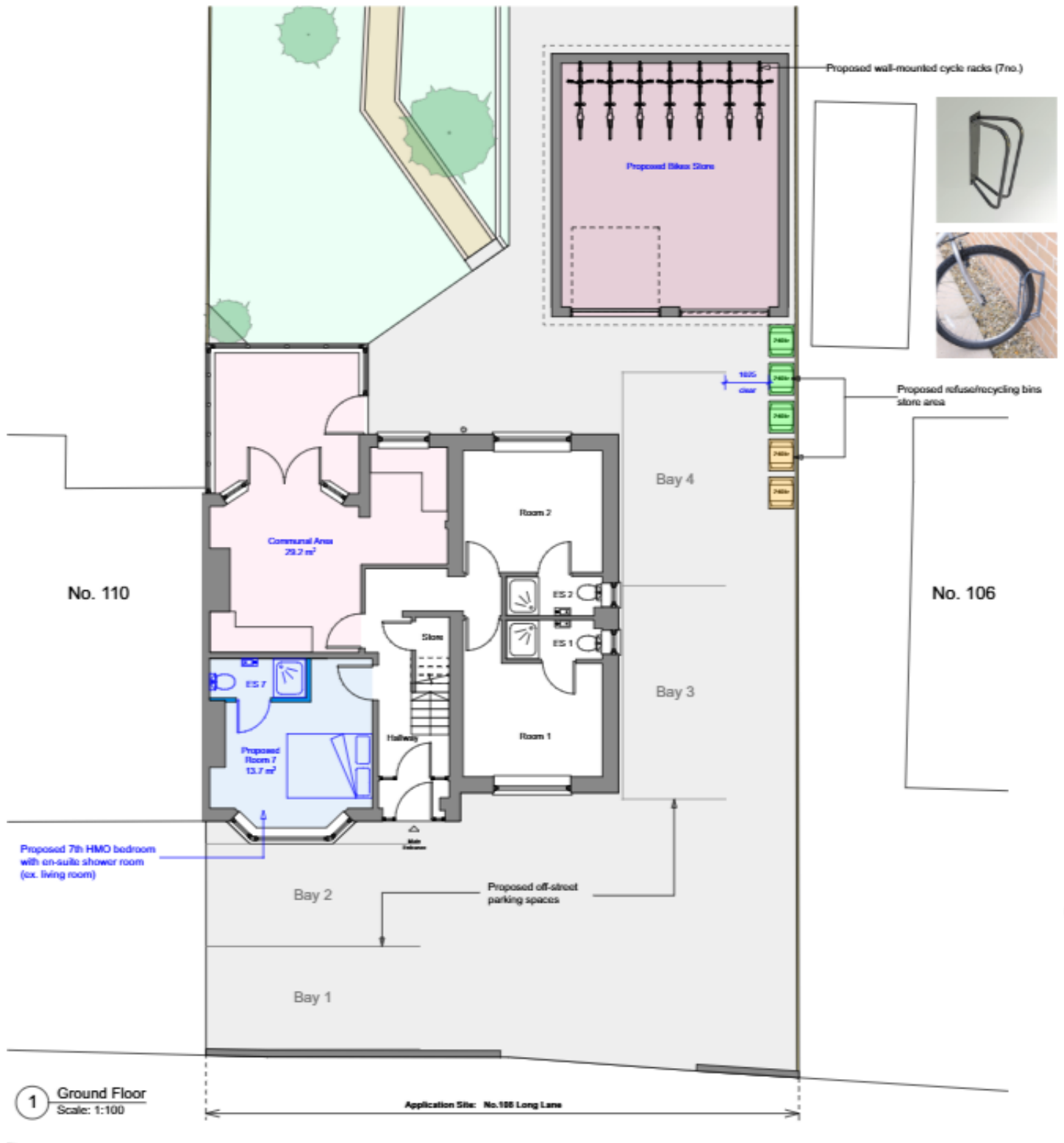


3 Side Elevation
Scale: 1:100



2 Rear Elevation
Scale: 1:100

Proposed Elevations.



Ground floor as proposed.

