

Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>24/00845/FUL</b>
<b>LOCATION:</b>	<b>98 Dennis Avenue, Beeston, NG9 2RE</b>
<b>PROPOSAL:</b>	<b>Change of use to 6 bed HMO</b>

The application is brought to the Committee at request of Councillor S J Carr.

1. Purpose of the Report

1.1 The application seeks planning permission for a change of use to a 6 bed HMO (Use Class C4) from C3 use.

2. Recommendation

**The Committee is asked to RESOLVE that the Assistant Director of Planning and Economic Development be given delegated authority to grant planning permission subject to the conditions contained in the appendix.**

3. Detail

3.1 The application site is a semi-detached render and brick dwelling, with the principal access route of Dennis Avenue to the north, and rear garden to the south. The site is located within the Beeston Article 4 area.

3.2 The site has previously had permission for a hip to gable roof, rear dormer, single storey rear extension and outbuilding in rear garden under reference 21/00348/FUL.

3.3 The main issue relates to whether an additional HMO in the area would constitute to an excessive amount of HMOs.

4. Financial Implications

4.1 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

5.1 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

6.1 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

7.1 Nil.

**Appendix**

1. Details of the application

- 1.1 The application seeks permission for a change of use from residential (C3) to 6 bed HMO (C4).
- 1.2 The house is a semi-detached brick and render dwelling, with driveway to the front (north) and rear garden to the south. Permission for a hip to gable roof, single storey rear extension and outbuilding to the rear was granted under reference 21/00348/FUL.

2. Recommendation

- 2.1 The committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

3. Relevant Planning History

3.1

16/10018/ENQ	Proposed Garden Shed in the garden	EC
19/00489/FUL	Retain front porch and ramp	PERC
21/00348/FUL	Construct hip to gable roof, rear dormer, single storey rear extension and an outbuilding at the rear of the house	PERC
24/10053/ENQ	Change residential single dwelling into 2 x 3 bedroom flats	EC
24/10159/ENQ	Proposed change of use to 6 bed HMO	EC

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 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 7 neighbours were consulted on the application. There were two objections, one which objected on the basis of parking, noise, privacy and security and the other in respect of privacy.

- Cllr S J Carr - Beeston North Ward – called in
- Cllr B C Carr - Beeston North Ward – no comment

5.2 Private Sector Housing – no objection, provided guidance on fire safety which was forwarded to the applicant.

### **6. Assessment**

#### **6.1 Principle**

6.1.1 The main issue for consideration is whether a change of use from residential (C3) to a HMO for 6 persons (C4) would result in an over intensification of HMOs in the area, and the impacts on neighbouring amenity and parking. The house was previously a family home.

#### **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.

6.2.3 There will be little external change, the main change being the inclusion of a bike storage unit to the rear. Internally, there will be three bedrooms, a kitchen, dining area and one bathroom to the ground floor. To the first floor will be three bedrooms and two bathrooms. The existing rear outbuilding will be used as a gym space.

6.2.4 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 resulting from the change from C3 to C4, 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 would be detrimental.

### 6.4 Policy and HMO SPD

6.4.1 Paragraph 131 of the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work. Paragraph 135 states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future occupiers. Paragraph 139 states that development that is not well designed should be refused.

6.4.2 The National Design Guide in the section Homes and buildings establishes in paragraph 123 that well-designed homes provide good quality internal and external environments for their users, promoting health and well-being. Paragraph 124 states that buildings should be easy to use, which includes comfort, safety, security, amenity, privacy, accessibility and adaptability. Paragraph 126 states that well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight daylight and ventilation.

6.4.3 The HMO SPD encourages property owners, who wish to use their premises for HMO purposes, to consider the principles contained within the SPD to ensure a healthy living environment, particularly when HMOs are formed through the conversion of existing residential properties. According to the SPD, it is important that conversions result in a high-quality living environment for residents, taking into consideration space facilities including room sizes, health and safety, natural ventilation, internal layouts and access to open space. The main considerations are:

- Opportunities to maximise natural light and ventilation;

- The avoidance of narrow corridors or configurations that lead to unsafe layouts;
- Ensuring that bedrooms are located away from kitchens and communal spaces, where possible.

One of the aspects to consider when granting permission for new HMO's within the Article 4 Area, is how many other HMOs are found within a 100m radius of the site, so that HMO clustering does not happen. If the number of HMOs exceeds 20% relative to the total number of dwellings within the radius, it is likely to be refused. We look at how many HMOs would be adjacent or opposite the site also. Having checked this, 98 Dennis Avenue has a 5% ratio of HMOs within 100m, meaning we would likely not refuse an application on this basis. The proposed HMO will not be sandwiched, as none of the adjacent properties are known HMOs. Additionally, data shows that at present there are three known HMOs on Dennis Avenue, evenly spread along the road, which is of a considerable length. Therefore, clustering is not a concern.

## 6.5 Access

6.5.1 There will be the provision of a bike store to the rear of the house and there will be 3 parking spaces provided off-road. There is parking also available on the street as well as the site being located close to transport links. Directly to the front of the site is a bus stop. Overall, it is considered that impact on access and highway safety would not be detrimental.

## 7. Planning Balance

7.1 Whilst acknowledging that the HMO will lead to additional people at the site and that all occupants may have a car, it is considered that the site is suitable and design, access, amenity and the HMO SPD criteria are acceptable, and would not lead to an over-concentration of HMO's in the immediate area.

## 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.

<b><u>Recommendation</u></b>	
<p>The Committee is asked to <b>RESOLVE</b> that the Assistant Director of Planning and Economic Development be given delegated authority to grant planning permission subject to the following conditions:</p>	
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 to a 6 bed HMO shall be carried out in accordance with the Site Location Plan, Proposed Block Plan, Proposed Elevations and Proposed Floor Plans received by the Local Planning Authority on 18 December 2024.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
<b>NOTES TO APPLICANT</b>	
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

# 24/00845/FUL - 98 Dennis Avenue,



**Broxtowe  
Borough  
COUNCIL**

ArcGIS Web AppBuilder



© Crown Copyright and database right 2025, Ordnance Survey AC0000820870.  
You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.  
FOR BROXTOWE BOROUGH COUNCIL BUSINESS USE ONLY

1:1,250



**Plans (not to scale)**



Proposed Block Plan.



Proposed Elevations.

Proposed Floor Plans.

