

Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>25/00003/FUL</b>
<b>LOCATION:</b>	<b>4A The Square, Beeston, NG9 2JG</b>
<b>PROPOSAL:</b>	<b>Change of use from office to dwelling (Use Class C3)</b>

The application is brought to the Committee as it is a Council application.

1. Purpose of the Report

1.1 The application seeks planning permission for the change of use from an office space to a dwelling (C3).

2. Recommendation

**The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix with delegation be given to the Assistant Director of Planning and Economic Development.**

3. Detail

3.1 The application site is a contained unit, sat above the Peacocks shop. Facing the site from the north is the Square, with HSBC opposite. Unit 3A is directly to the south and a gift shop and jewellers located beneath.

3.2 The unit was previously an office space and the application would see this space be used for a C3 dwelling use, provisionally for council contractors to use on a short term let basis.

3.3 The main benefit of the proposal is that it would bring a vacant office space back into use, and would provide living accommodation.

3.4 The committee is asked to resolve that planning permission be approved.

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 an office space to a Dwelling (C3) which will be used as a short term let.

2. Site and surroundings

2.1 The application site is a contained unit, above Peacocks in Beeston Square. The flat is intended to be used primarily for Council contractors, however, as the use would be residential, a flexible approach to the tenancy could be considered. The unit is 79m<sup>2</sup> and has provision for 4 bedrooms, with a lounge/dining space and bathroom.

2.2 The unit is accessed via the service goods yard, which is off Station Road.

3. Relevant Planning History

3.1

13/00042/FUL	Hybrid planning application comprising: Full application for the demolition of retail (Class A1) units 9 to 18 (inclusive) and the canopy fixed to units 1 and 7 to 22 (inclusive) and construction of larger, replacement commercial units incorporating a mix of uses at ground floor: retail, restaurant/café and drinking establishment (Classes A1, A3, and A4) and gymnasium at ground and first floor (Class D2). Associated works including the refurbishment of the existing street facing elevations, public realm and hard landscaping. Outline application for the demolition of the canopy fixed to units 33 to 39 (inclusive), and refurbishment of the existing street facing elevations, immediate public realm and hard landscaping	PERC
14/00605/ROC	Variation of condition N°7 (to allow a further 6-month period following the occupation of units 9-18 to agree the details of the public art on the Station Road elevation) of planning ref: 13/00042/FUL	PERC

15/00470/ROC	Variation of condition N° 7 of planning ref: 13/00042/FUL (to allow a further 6 months to agree the art on the Station Road elevation)	PERC
15/00855/ROC	Removal of condition 7 of planning permission ref: 13/00042/FUL and replace with a Unilateral Undertaking that secures a contribution towards the provision of public art	PERC
18/00409/FUL	Change of use from residential (Class C3) to offices (Class A2) – 2A, 3A and 4A The Square	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 6: Role of Town and Local Centres
- Policy 10: Design and Local Amenity

4.2 **Part 2 Local Plan 2019**

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

- Policy 11: The Square Beeston
- Policy 17: Place-making, design and amenity

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

- Section 2: Achieving Sustainable Development
- Section 4: Decision-making
- Section 12: Achieving well-designed places
- Section 7: Ensuring the vitality of town centres

5. Consultations

5.1 Private Sector Housing – Private Sector Housing wouldn't provide comments on this as we don't enforce AirBnB type accommodation.

5.2 Environmental Health - No objections in principle to the proposed development. However, without proper mitigations the proposals have the potential to have an adverse impact on local amenity for the following reasons:

The operational phase of the development will introduce new sensitive receptors into an area which has existing sources of noise / vibration. These new sensitive receptors may be subject to adverse impact on their amenity due to these existing environmental impacts. The development location is above a busy retail development. The location is surrounded by fixed plant serving various existing commercial activities. Sources of noise from fixed plant, deliveries and internally generated noise elsewhere in The Square may compromise the internal noise environment of the proposed development to an extent which is in conflict with national planning policy. In order to mitigate the potential adverse impacts identified above and to enable the development to progress in accordance with planning policy objectives, I would recommend that the following conditions are attached if the development is approved:

- Prior to the commencement of the development details of the design measures, supported by an appropriate noise assessment, to be incorporated into the construction of the development to ensure the following noise levels shall be submitted to the Local Planning Authority for prior approval. Thereafter, the approved details shall be implemented in full prior to the development becoming occupied and shall be permanently maintained in full accordance with the approved details.
- Reason: To mitigate, and reduce to a minimum, adverse impacts on health and quality of life arising from noise from new development as described within paragraphs 183-188 of the National Planning Policy Framework 2021.
- A noise assessment and report was received following this from the applicant, which was then sent to environmental health who were satisfied with the report and stated that this removed the need for the above condition, as the only discrepancy on the noise report would be when any occupiers were present in the unit.

5.3 Three neighbours were consulted on the application. One response was received which had no objection to the proposal. One objection was received which had concerns about the security implications of having residential properties adjacent to retail spaces and requests the installation of CCTV.

5.4 Cllr G Marshall - Beeston West Ward – no comment

Cllr E Winfield - Beeston West Ward – no comment

## 6. Assessment

### 6.1 Principle

6.1.1 The principle of a change of use of upper floors above retail from office to residential (C3) is acceptable subject to matters below. The unit was an office space for 6 persons until April 2024 and has been vacant since. The other 3 units in the block remain as office space.

## 6.2 Design

6.2.1 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

6.2.2 The existing office space has been converted into a 4-bedroom rental unit, albeit the use as a dwelling not yet commenced. The accommodation is laid out over one floor and will have entrance through the foyer into a kitchen/dining space, with the two smaller bedrooms off the foyer. There will be one bathroom and two larger bedrooms, which will look out onto Beeston Square.

6.2.3 There are no external changes to the unit and it is considered that the design is acceptable. The conversion of the unit will not cause it to appear over-prominent not dominate the existing building.

6.3.3 It is anticipated that the accommodation be used for short term stays, such as accommodation for contractors. Notwithstanding this we are assessing this as a C3 use, which would include permanent residence and longer term stays.

## 6.3 Amenity

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

6.3.2 Three neighbouring addresses were consulted. One responded to state they had no objection and another objected due to security concerns. It is considered that there will be little amenity impact, as the unit will have no external changes. Additionally, the unit being previously used as an office, will not result in any detrimental amenity impacts from its change of use into a dwelling unit.

6.3.3 It is considered that the amenity for the future occupiers is acceptable. Three of the four bedrooms have windows to allow for light and whilst one does not, this could be used as a study or other type of space. There is a kitchen/ dining and lounge space as well as a bathroom. It is considered that due to the siting of the unit, the future occupants will not experience any overlooking or loss of privacy from the other units.

## 6.4 Access

6.4.1 Access on foot is via the service delivery entrance off Station Street. There will be no designated parking provided and persons renting the unit will be encouraged to use one of the nearby public car parks.

6.4.4 It is unlikely that the change of use will cause any detrimental amenity impacts or affect neighbouring access.

7. Planning Balance

7.1 On balance, the unit would result in a loss of office space, however as the unit was vacant it is considered to be an acceptable change of use, with no concerns regarding design, amenity or access.

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>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix with delegation be given to the Assistant Director of Planning and Economic Development.</b>	
1.	<b>The development hereby permitted shall be retained in accordance with the Site Location Plan (1:1250) received by the Local Planning Authority on 2 January 2025 and Floor Plan received by the Local Planning Authority on 29 January 2025.</b>  <i>Reason: For the avoidance of doubt.</i>
	<b>NOTES TO APPLICANT</b>
1.	<b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b>

**Map**





**Plans (not to scale)**

