

Report of the Chief Executive

APPLICATION NUMBER:	19/00012/FUL
LOCATION:	THE GABLES ATTENBOROUGH LANE ATTENBOROUGH
PROPOSAL:	CHANGE OF USE FROM A NURSING AND RESIDENTIAL CARE HOME (CLASS C2) TO FOUR HOUSES OF MULTIPLE OCCUPATION (CLASS C4)

1 Executive Summary

- 1.1 This application was first brought before Planning Committee on 22 May 2019 with a recommendation for approval. The original report is attached at appendix 2. Members deferred making a decision on the application to allow further consideration to be given to reducing the intensity of the occupation of the building.

- 1.2 The applicant has considered the issues raised by Planning Committee and has reduced the number of bedrooms by 6, from 22 to 16, to now provide four units of four bedrooms each. The bedrooms remain to be single occupancy. The current application is at appendix 1, with a recommendation for approval subject to conditions.

APPENDIX 1

1 Details of the Application

- 1.1 The internal layout has been amended such that each unit would have four bedrooms (shown as single occupancy) and the communal areas reconfigured to allow for more space. Nine parking spaces within the site would be provided, which has not changed from the original application.

2 Re-Consultations

- 2.1 Amended plans were submitted and a 21 days' re-consultation has been undertaken with the occupants of neighbouring properties, and additionally all those who responded to the original consultation.
- 2.2 **Council's Environmental Health Officer:** No objections subject to notes to applicant in respect of noise insulation, to hours of building works and to no bonfires on site.
- 2.3 **County as Highways Authority:** Comments as previously made, in that the proposals satisfy the specifications on parking provision within the development however there is a possibility that should the development be permitted there may be a demand for on-street parking, which is a local concern. Recommend conditions in regard to dropped kerbs and the provision of parking areas prior to occupation.
- 2.4 **Council's Housing Officer:** No objections to the amended plans, and notes that all room sizes meet the minimum required in the Broxtowe Borough Councils' House in Multiple Occupation (HMO) Property Standards, which is 8 square metres (excluding en-suites).
- 2.5 **Waste and Recycling Officer:** The bin storage area would need to provide bins of a sufficient size for the development. Amended plans have been received to demonstrate that the proposal would comply with this requirement.
- 2.6 Twenty seven letters of objection have been received on the following grounds:
- The proposal still fails to provide enough parking for the development and therefore would have an impact upon on-street parking, congestion, and be a danger to those users of the village hall
 - The proposal would be detrimental to the village
 - Consultation has not been carried out correctly, as the minutes of the last planning application are not available, particularly those legal aspects raised by the Council Member of this ward
 - There is no such address as 169 Attenborough Lane Chilwell, which shows a lack of detail provided by the applicant, which in turn does not bode well for the management of the proposed building
 - Three of the rooms have areas lower than that laid down by Council rules, and do the room sizes include toilet / bathroom area
 - Planning Officer did not tell the Planning committee members of the objections but did read out in full the one letter of support. This should be investigated before the application is brought back to committee

- The car parking plan interferes with the bus stop on Attenborough Lane
- The fire plan has been objected to by the Fire and Rescue Service due to the lack of space to the rear if there is a fire to the front of the building.
- Fire risk to residents not addressed
- The building needs demolishing and something more appropriate built
- Rooms state single occupancy but how will this be monitored?
- HMO's are let to people of a transient nature and as such would not contribute to the community, it is not suitable for a quiet village where there are elderly residents and young families
- Can the site be re-developed and turned into 9 flats, or revert back to houses for families?
- Personal safety and crime – how can the credentials of the tenants be guaranteed? If the building cannot be filled with professionals then it could be occupied by the homeless, unemployed etc, can the safety of residents be guaranteed?
- Loss of privacy, increase in noise, smell and disturbance
- There is no economic benefit to the village
- The Environment Agency objects to the development
- Waste bins will be directly under neighbouring property's bedroom window, resulting in unacceptable levels of smells and rubbish if not managed.

3 Assessment

- 3.1 It is considered that the reduction in bedrooms, which has resulted in some bedrooms and communal spaces becoming larger, would see a reduction in the density of the proposal and as such the off-street parking provision, of nine spaces, would be sufficient to serve the development. The proposed residents would have an acceptable standard of amenity, with most rooms reconfigured and some enlarged as a result. It is considered the proposal would not, therefore, have an unacceptable impact upon on-street parking provision in the immediate surroundings, and would have an adequate level of internal space and amenity for the future occupiers.
- 3.2 There are concerns raised in regard to the previous committee. It is noted that the minutes of the May committee are available to view online, on the Council's website. There were in excess of 190 objections to the original application; these were summarised and available to all members of the Planning Committee prior to the May committee, and available for the members of the public to view.
- 3.3 The address of the site is correct in as much as its reference to 169 Attenborough Lane, and to the postcode.
- 3.4 The applicant has confirmed that means of escape windows will be provided and are shown on the plans, and that the refurbishment would comply with building regulations in respect of fire safety and means of escape.
- 3.5 This report covers only those matters raised as concerns at the previous committee, that is, intensity of the development, and the impact of the proposal on parking in the area. All other matters raised as part of the re-consultation process

have previously been addressed in the May committee report, which is included as an appendix and should be read in conjunction with this report.

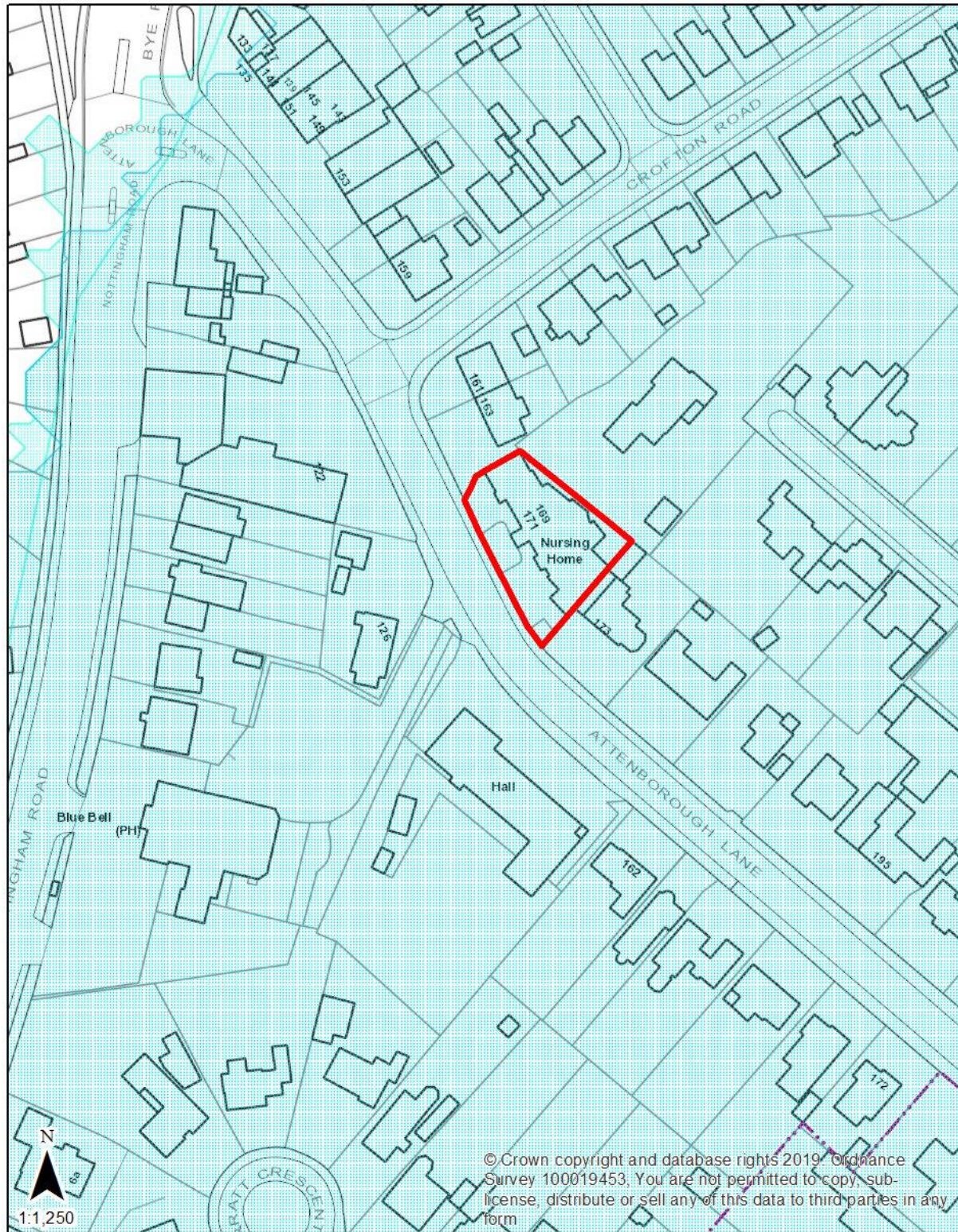
4 Conclusion

4.1 The reduction in the amount of bedrooms, the increase in internal communal space and that the site is in a sustainable location close to employment, shopping and good public transport links, means that it is still considered that the application is acceptable, and would not lead to a detrimental impact on highway safety. As such, the recommendation for approval remains the same.





<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted 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 development hereby permitted shall be carried out in accordance with Site Location Plan and Block Plan and drawing numbered C/105 rev D, received by the Local Planning Authority on 21 June 2019, and drawings numbered C/100 rev G, C/101 rev G and C/200 rev G received by the Local Planning Authority on 5 July 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>Prior to first occupation, a landscaping scheme shall first have been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) Trees, hedges and shrubs to be retained and measures for their protection during the course of development (b) Numbers, types, sizes and positions of proposed trees and shrubs (c) Proposed boundary treatments (d) Proposed hard surfacing treatment (e) Proposed lighting details (f) Planting, seeding/turfing of other soft landscape areas <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: No such details were submitted and to ensure that the</i></p>

	<p><i>details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy H4 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014)</i></p>
4.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy H4 of the Broxtowe Local Plan (2004).</i></p>
5.	<p>No part of the development hereby permitted shall be brought into use until the parking areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number C/200 Rev F. The parking areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of vehicles.</p> <p><i>Reason: To ensure adequate parking is available within the site in the interests of highway safety and amenity and in accordance with Policy T11 of the Broxtowe Local Plan (2004)</i></p>
6.	<p>No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossings are available for use and constructed in accordance with the Highway Authority specification.</p> <p><i>Reason: In the interests of highway safety and in accordance with Policy 10 of the Aligned Core Strategy (2014).</i></p>
7.	<p>The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) prepared by IDOM, dated 29 March 2019, and the mitigation measures contained therein. The measures detailed in the FRA shall be retained for the lifetime of the development.</p> <p><i>Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 1 of the Aligned Core Strategy (2014).</i></p>

	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The applicant is advised to ensure that sound insulation to limit the transmission of noise between each property achieves the minimum requirements as contained in the current version of British Standard Approved Document E
3.	Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There also should be no bonfires on site at any time.
4.	The development makes it necessary to construct/improve the vehicular crossings over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities



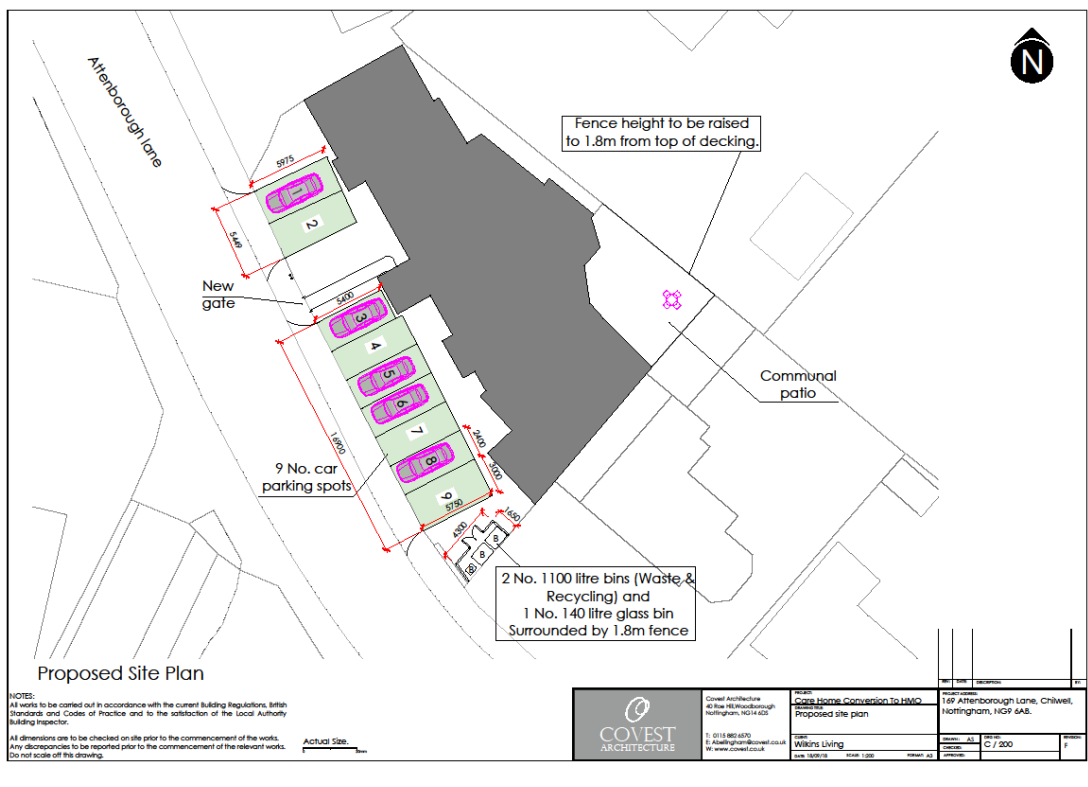
Legend

-  Site
-  Flood Zone 3
-  Flood Zone 2
-  Conservation Areas (Local Plan)

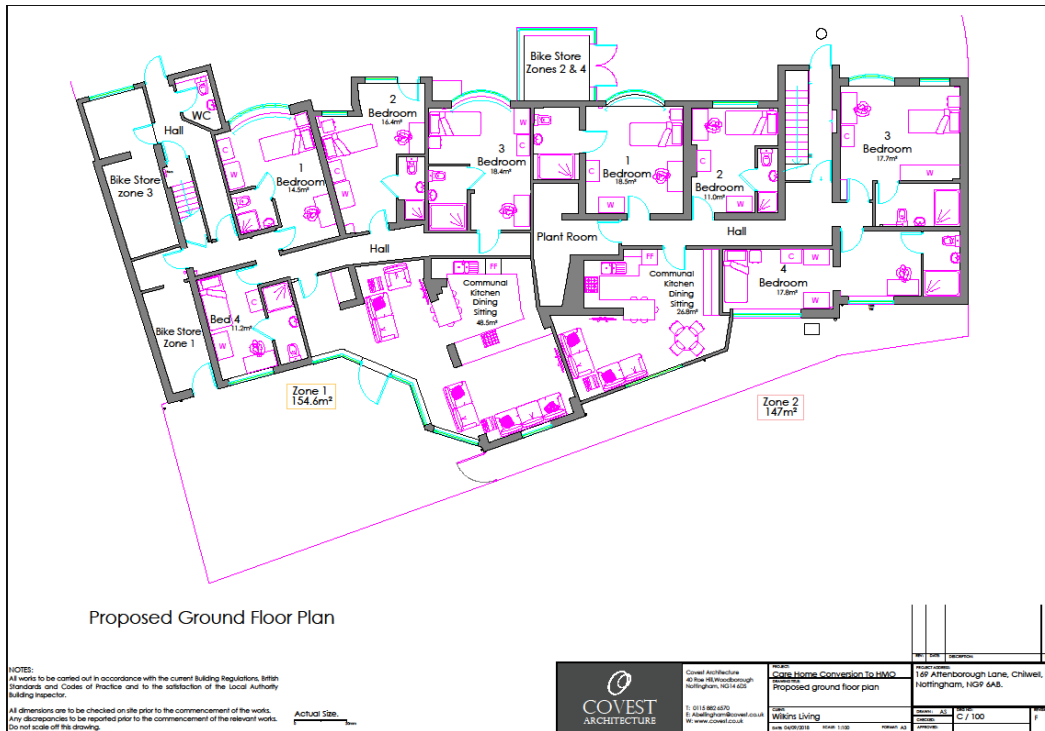
Plans (not to scale)



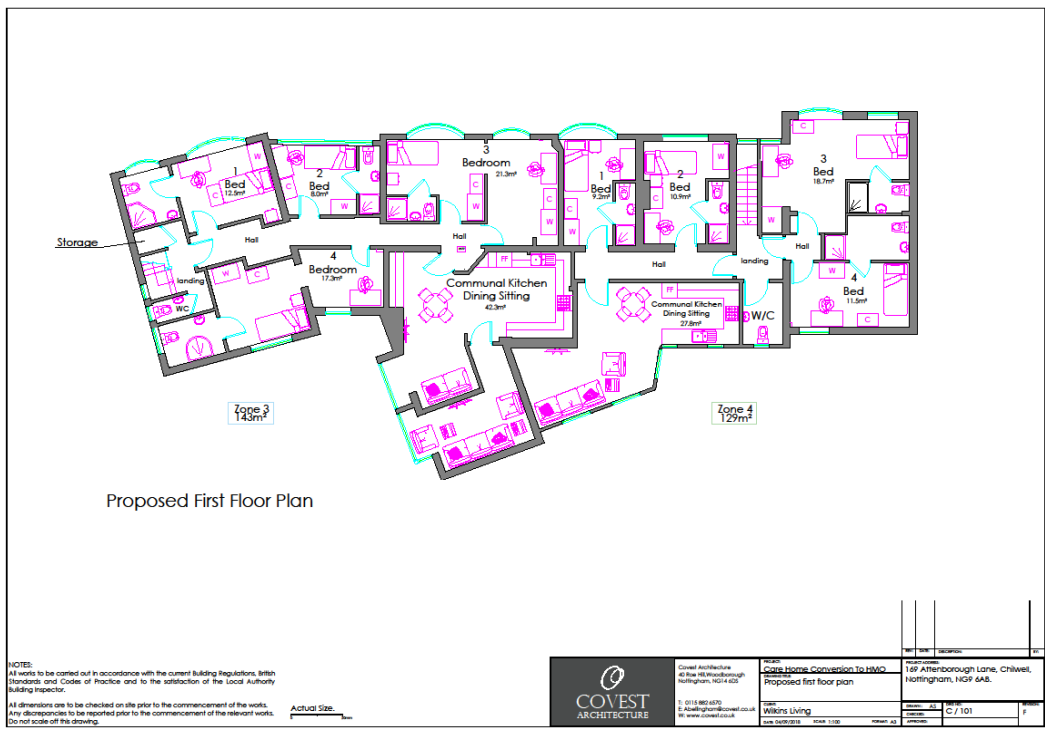
Elevations as proposed



Proposed layout



Proposed ground floor plan



Proposed first floor plan