

## Report to Planning Committee

**Application Number: 2017/1216**

**Location: 36-38 Victoria Road, Netherfield, Nottingham, NG4 2HE**

Proposal: Ground floor change of use from a restaurant (Use Class A3) to a 9 bedroomed HMO (Use Class Sui Generis).

Case Officer: Graham Wraight

Planning permission was refused by the Borough Council on the 14<sup>th</sup> June 2018 on the following ground:

1. The property is prominently located within the Netherfield Local Centre at the intersection of two main shopping streets. The proposed conversion of the existing A3 use to a nine bedroom house of multiple occupation falling within a Sui Generis use class would be contrary to the objectives of Saved Local Plan Policy S2 and Emerging Local Plan Policy LPD49 which seek to ensure that the retail character of local centres is retained and to promote the vitality and viability of local centres. For these reasons, the proposal is also contrary to the overarching objectives of the National Planning Policy Framework which seeks to safeguard the vitality and viability of local centres. Whilst the property is currently vacant, it has been in use through the proceeding years and no evidence has been provided to demonstrate that it cannot be reasonably reused for its current use or in a use that would comply with the relevant national and local planning policies.

An appeal against this decision was subsequently lodged with the Planning Inspectorate.

This appeal has been **dismissed**. The Inspector concluded that the proposed change of use would result in the loss of an active ground floor frontage of a building located within an important position within the Local Centre. Consequently it was found that the appeal proposal would harm the vitality and viability of the Local Centre, contrary to Policy LPD 50\* of the Local Planning Document.

**Recommendation:** To note the information.

\* Local Planning Document Policy LPD 50 was numbered as LPD 49 in the emerging plan, which was in force at the time that the application was determined by Gedling Borough Council.