



Appeal Decision

Site visit made on 27 August 2019

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th November 2019

Appeal Ref: APP/Q3060/W/19/3231351

184 Gregory Boulevard, Nottingham NG7 5JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Unshakeable Investments Ltd against the decision of City of Nottingham Council.
 - The application Ref 19/00244/PFUL3, dated 1 February 2019, was refused by notice dated 29 May 2019.
 - The development proposed is change of use of dwellinghouse to one three-bed dwelling (on ground and first floors) and one two-bed dwelling (second floor and loft), both Use Class C3. First floor extension at rear. New windows.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of dwellinghouse to one three-bed dwelling (on ground and first floors) and one two-bed dwelling (second floor and loft), both Use Class C3, first floor extension at rear and new windows at 184 Gregory Boulevard, Nottingham, NG7 5JE in accordance with the terms of the application, Ref 19/00244/PFUL3 (as amended), dated 1 February 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans described in the document "Design Proposal Pack as prepared by AM2 Architects": Location and Site Plan (page 2), Proposed Ground & First Floor Plans (page 9), Proposed First & Second Plan (page 10), Proposed Basement & Roof Plans (page 11), Proposed Elevations (South and North, page 12), Proposed Elevations (East, page 13) and 3D View (page 14).

Procedural Matter

2. The description of the proposal on the planning application form differs from that on the decision notice. During the determination of the application a revised description was agreed by the Council and the appellant and the application was determined on that basis. For the avoidance of doubt, I have determined the appeal based on the revised description which is set out in the header above.

Main Issue

3. The main issue is whether the proposed conversion of the property to one 3-bed dwelling and one 2-bed dwelling is acceptable having regard to the development plan.

Reasons

4. The appeal site is a three-storey end of terrace property close to the junction of Gregory Boulevard and Alfرتون Road. On my site visit the property was vacant and I understand that it was previously recorded as a house in multiple occupation. Alfرتون Road is a busy radial route leading to the city centre. The appeal site has space for one vehicle to park to the front and has a small rear amenity space. There is a narrow walkway along the side of the appeal site giving access to the rear.
5. Similar properties lie on both sides of Gregory Boulevard close to the junction with Alfرتون Road, although the number of dwellings varies block by block. Given the multiple letterboxes, entrance arrangements and bins it is clear that a number of the dwellings have been sub-divided or are in multiple occupation.
6. Policy ST1 of the Nottingham Local Plan (2005) (LP) concerns Sustainable Communities referring to the need for a provision of a balanced mix of housing including promoting housing for families with children. Housing policy is set out in more detail in the housing chapter but there is no definition included as to what constitutes family housing or how the sub-division of large dwellings should be treated.
7. Policy A of the Greater Nottingham Aligned Core Strategies Part 1 Local Plan (2014) (ALC) sets out the presumption in favour of sustainable development and is aligned with the approach in the National Planning Policy Framework (the Framework). ALC Policy 8 deals with housing size, choice and mix and this emphasises the importance of providing for family housing including larger family housing together with innovative family housing on the city centre fringes. It also refers to the need to redress the housing mix within areas of concentration of student households and houses in multiple occupation. The supporting text does indicate that family housing is equivalent to a 3-bed-dwelling and larger family accommodation equivalent to a 4-bed dwelling. The policy does not refer specifically to flat conversions.
8. In responding to the Council's initial concerns on the loss of family accommodation the appellant devised the revised scheme which makes provision for family accommodation in the form of the 3-bed unit on the ground and first floors. A new second staircase would ensure that the two dwellings would be entirely separate internally apart from a shared front access and hallway.
9. On my site visit I observed that the property is currently in poor condition and in need of improvement. The appeal proposal will bring the necessary investment to improve the quality of the accommodation and help redress issues relating to multiple occupation. The innovative proposal will provide suitable 2 and 3 bed accommodation with the latter being of an appropriate size for a family. This will assist in improving the mix of housing available in the area. The provision of a 3-bed dwelling as part of the conversion helps

address concerns over the loss of family accommodation and it is important to note that the property had previously been recorded in multiple occupation.

10. Accordingly, I conclude that the proposal to change the use of the appeal property to one 3-bed dwelling and one 2-bed dwelling is acceptable and is consistent with saved Policy ST1 of the LP and Policy 8 of the ALC since it would retain family sized accommodation as well as add a further 2-bed dwelling to the city's housing stock.

Other Matters and Conditions

11. The Council's concerns relating to the proposed development focussed on the policy objection that I have dealt with above. I consider the other main elements of the project including: the first-floor extension: the provision of new openings in the flank wall to the first and second storeys; the arrangements for storage of waste and; the provision of a skylight in the front side of the main roof to the loft conversion will not cause harm. I also note the Council have also accepted that the 2-bed flat on the second floor and loft conversion will not lead to harmful impact on the living conditions of neighbouring properties.
12. The Nottingham Civic Society's comments on the initial proposals included concern over the dormer extension and use of the basement for living accommodation. The provision of the dormer extension is not provided as part of the appeal proposal and use of the basement is no longer proposed in the amended scheme.
13. Taking the above into account it appears to me that the standard conditions I have set out will be appropriate to ensure the development is completed satisfactorily and in a timely fashion.

Conclusion

14. For the reasons above and taking account of all relevant considerations I hereby allow this appeal subject to conditions.

David Carter

INSPECTOR