



Appeal Decision

Site visit made on 21 September 2020

by R Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 October 2020

Appeal Ref: APP/Q3060/D/20/3257442

10 Brailsford Road, Nottingham NG7 2JU

- 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 Mr James Maddocks against the decision of City of Nottingham Council.
 - The application Ref 20/01162/PFUL3, dated 10 June 2020, was refused by notice dated 5 August 2020.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear extension at 10 Brailsford Road, Nottingham NG7 2JU in accordance with the terms of the application Ref 20/01162/PFUL3, dated 10 June 2020 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 following approved plans: Location Plan; 20-1891-1; 20-1891-2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the achievement and maintenance of balanced communities including the effect on the living conditions of the occupants of nearby properties.

Reasons

3. The appeal building is occupied as a House of Multiple Occupation (HMO) with the property having 4 bedrooms. The proposal would increase the number of bedrooms within the HMO to 6.
4. An extension to the rear of the property has already been accepted, through a prior notification, as being permitted development. If this fallback position is implemented this would also result in a HMO with 6 bedrooms.
5. Whilst the overall extension proposed is larger, the internal layout of the fallback position still appears to be able to function. Moreover, given that prior notification has been sought and issued for this fallback position I consider it a strong possibility that it would be implemented, were this appeal to fail.

6. Giving significant weight to the fallback position, the proposal would not result in an increase in the overall bed spaces within the property. It would not intensify the use of the property or reinforce its use as a HMO any more than the fallback position would. I therefore conclude that the proposal would not have any impact on the achievement and maintenance of balanced communities and no effect on the living conditions of the occupants of nearby properties.
7. The proposal would therefore comply with the requirements of Policy 8 of the Broxtowe Borough, Gedling Borough, Nottingham City Aligned Core Strategies Part 1 Local Plan 2014 and Policy HO6 of the Nottingham City Land and Planning Policies Development Plan Document Local Plan Part 2 (2020). These seek, amongst other things to maintain sustainable, inclusive and mixed communities.

Conditions

8. In the interests of certainty, it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans. A condition relating to materials is appropriate in the interests of the character and appearance of the area.

Conclusion

9. For the reasons given above, the appeal is allowed.

Robert Walker

INSPECTOR