



Appeal Decision

Site visit made on 10 October 2022

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 OCTOBER 2022

Appeal Ref: APP/Q3060/D/22/3304080

93 Beeston Road, Nottingham NG7 2JQ

- 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 Edward Henderson against the decision of Nottingham City Council.
 - The application Ref 22/01015/PFUL3, dated 13 May 2022, was refused by notice dated 19 July 2022.
 - The development proposed is a second floor loft extension and rear dormer window.
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Decision

1. The appeal is allowed and planning permission is granted for a second-floor loft extension and rear dormer window at 93 Beeston Road, Nottingham NG7 2JQ in accordance with the terms of the application, Ref 22/01015/PFUL3, dated 13 May 2022, 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: Drawing Nos. 919 001 and 919 002 Revision E.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on Drawing No. 919 002 Revision E.

Procedural Matter

2. The description of development on the application form is "*proposed second floor loft extension and rear dormer window (C4 existing use and C4 proposed use)*". As no change of use is proposed I have omitted the use class from the description.

Main Issues

3. The main issues are the effect of the proposed development on i) the character and appearance of the area ii) the maintenance of a balanced community, with particular regard to the number of houses in multiple occupation, and iii) the living conditions of nearby residents, with regard to noise and disturbance.

Reasons

Character and appearance

4. Beeston Road is part of the busy A6005, which links the university and the city centre. The appeal site is located within a predominantly residential section of

this road, which comprises linear rows of terraced and semi-detached houses. Many of these houses have single storey extensions and large dormer windows to the rear.

5. No.93 is a mid-terraced house, within a block of four. It is currently occupied as a house in multiple occupation (HMO). It has a single storey extension and roof lights to the rear.
6. Although the rear of the terraced houses along this side of Beeston Road are well screened by mature landscaping, standing in the rear garden of the appeal property, I was able to see at least eight large dormer windows of varying materials, within the adjacent blocks of terraces.
7. The proposed dormer window would be located at the rear of the dwelling and would not be visible within the Beeston Road streetscene. It would be similar in terms of scale and design to the rear dormer at adjoining No.95 Beeston Road, and those present on many other nearby dwellings. The proposal would also introduce three roof lights to the front of the dwelling. These would fit flush to the roof slope and would be similar in size and number to those on adjacent properties.
8. I therefore conclude that the proposal would respect the appearance of the row of dwellings and the wider area, in accordance with Policy 10 of the Greater Nottingham Aligned Core Strategies Part 1 Local Plan (September 2014) (ACS) and Policy DE1 of the Nottingham City Land and Planning Policies Local Plan Part 2 (January 2020) (LAPP), which seek, amongst other things, to ensure that new development has regard to local context and townscape characteristics.

Balanced community

9. The appeal property is occupied as a HMO in an area where the Council has calculated that there is a concentration of such uses. The proposal would increase the number of bedrooms within the property, albeit the additional bedroom on the first floor is not reliant on the development proposed.
10. The dormer window would result in an additional bedroom in the loft space, and whilst the occupation of this room would be likely to increase the number of persons living in the property, no substantive evidence has been provided to demonstrate that an increase in the occupation of the property would unbalance the local community. The property is already in use as a HMO and would continue to be so as a result of the proposal.
11. Moreover, there is no evidence before me to demonstrate that the proposal would prevent the use of the property changing in the future to a family dwelling.
12. I therefore conclude that the proposal would not materially alter the housing mix in the area or result in the loss of family home. As such the balance and sustainability of the community would be maintained, in accordance with the aims of Policy 8 of the ACS and Policies H01 and H02 of the LAPP, which seek to create or maintain sustainable, inclusive and mixed communities.

Living conditions

13. There is no evidence before me of any complaints about noise and disturbance from the existing use of the property as a HMO. The dwelling can already accommodate up to 6 persons and 5 bedrooms without the need for the proposed dormer window. Although the dormer window would enable a 6th bedroom to be created, the change in comings and goings from this existing HMO, by the addition of one further bedroom, would be negligible in this already highly populated student location. I note from the appellant's statement that adjoining No.95 is also in use as a HMO. I also note that no objections have been received from local residents or Environmental Health.
14. I therefore conclude that the proposal would not result in increased noise and disturbance. As such it would not conflict with Policy 10 of the ACS or Policies DE1 and H06 of the LAPP, which seek, amongst other things, to ensure that new development would not result in harm to the amenity of nearby residents or occupiers.

Conditions

15. In addition to the standard time limit, I have imposed conditions listing the approved drawings and materials, for the avoidance of doubt as to what has been approved.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed.

R Bartlett

INSPECTOR