



Appeal Decision

Site visit made on 5 December 2023

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th December 2023

Appeal Ref: APP/J3015/W/23/3320014

1 Queens Road East, Nottingham NG9 2LD

- 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 White Sail Estates Ltd against the decision of Broxtowe Borough Council.
 - The application Ref 22/00499/FUL, dated 30 May 2022, was refused by notice dated 12 October 2022.
 - The development proposed is construct three storey extension to the existing purpose built student accommodation to create an additional six bedrooms.
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Decision

1. The appeal is allowed and planning permission is granted to construct three-storey extension to the existing purpose built student accommodation to create an additional six bedrooms at 1 Queens Road East, Nottingham NG9 2LD in accordance with the terms of the application Ref 22/00499/FUL dated 30 May 2022 subject to the conditions in the attached schedule.

Main Issue

2. The main issue in this appeal is the effect of the development on neighbouring properties, by its overwhelming and overly dominant impact.

Reasons

3. This proposal would see the addition of a three-storey side extension to an existing purpose-built student accommodation (PBSA) in order to increase the number of bedrooms to 38 from the existing 32. The proposal would see the loss of some existing parking provision in order to allow it to be built.
4. The proposal has a number of documents in support, namely a flood risk assessment, tree survey and a transport statement. The specialist consultees in these areas have not raised any objections, subject to conditions.
5. The proposed development would depart from the established development by introducing a pitched roof into an overall design that has flat roofed elements. The building is set well back from the main highway, and from a design point of view would not look like an incongruous feature. To my mind, the scheme would create a coherent grouping of new buildings, with its own identity and sense of place. As such, it would be a reasonably attractive addition to the locality.
6. I note the Council's comments regarding the proposal's scale, and overall size in respects of the nearest residential property (No 3). But the new section of

extension is not significantly higher than No 3, and there are no habitable room windows facing toward that property. The relationship between the existing property and the proposed extension is not markedly different from a traditional relationship between buildings. All of the aspects raised by the Council seem to me unobjectionable. I note the Council's view that the development would be overwhelming and an overly dominating presence, but in the absence of any further explanation, these criticisms are unsubstantiated.

7. For these reasons, I can find no substance in any of the Council's stated concerns regarding the possible effects of the proposed extension on the adjacent dwelling, which also was indicated to be a family home, but from the evidence supplied appears to be a House in Multiple Occupation.
8. It follows that in regard to this scheme, it would not conflict with policy 10 of the Broxtowe Aligned Core Strategy and policy 17 of the Broxtowe Part 2 Local Plan which amongst other matters, expect development to not impact on the amenity of nearby residents or occupiers.

Conditions

9. I have considered the conditions forwarded by the Council and consider them to be fair and reasonable.
10. Conditions 1 to 3 are in the interests of proper planning and are standard in nature, whilst Conditions 4 through 6 ensure that the recommendations of supporting specialist documents are complied with.

Conclusion

11. Subject to the imposition of conditions, there are no material considerations that indicate that the application should be determined other than in accordance with the development plan, of which the relevant policies attract full weight. For the reasons given above, I therefore conclude that the appeal should be allowed.

Paul Cooper

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.
- 2) This permission shall be read in accordance with the following plans:
 - Site Location Plan No. DL/503/000
 - Existing Floor Plans No. DL/503/310
 - Existing Elevations No. DL/503/311
 - Existing Site Block Plan DL/503/100
 - Proposed Floor Plans DL/503/320 Rev. A
 - Proposed Floor Plans with Dimensions No. DL/503/322 Rev. A,
 - Proposed Elevations No. DL/503/321 Rev. A,
 - Proposed Site Layout GF No. DL/503/301 Rev. B
- 3) No development above slab level shall commence until samples/details of the proposed external facing materials have been submitted to and agreed in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.
- 4) The development permitted shall be carried out in accordance with the submitted Flood Risk Assessment (RPS Consulting Services Ltd., dated May 2022) and in particular the following mitigation measures detailed within:
 - Finished floor levels shall be set no lower than 27.31m AOD;
 - Flood resilient construction measures shall be incorporated throughout the development to a minimum height of 27.61m AOD.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
- 5) The proposed extension shall not be occupied until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall then be maintained in accordance with the approved details for the lifetime of the development.

- 6) Prior to occupation of the dwellings, noise mitigation measures as detailed in Acute Acoustics Ltd noise assessment dated 20th March 2019, ref 2354 Beeston shall be implemented in full.

END OF SCHEDULE