

**Report of the Chief Executive**

**Appeal Decision**

<b>APPLICATION NUMBER:</b>	<b>25/00297/FUL</b>
<b>LOCATION:</b>	<b>1 Glebe Street, Beeston NG9 1AF</b>
<b>PROPOSAL:</b>	<b>Construct two storey side extension</b>

**APPEAL ALLOWED**

**RECOMMENDATION BY OFFICER – APPROVAL**

The appeal was made under Section 78 of the Town and Country Act 1990, against the decision of Broxtowe Borough Council, which was subject to conditions. The condition in dispute is no.6 which states:

The windows on the north eastern elevation of the extension shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.

Reason: In the interests of neighbour amenity and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019)

**LEVEL OF DECISION: WRITTEN REPRESENTATIONS**

The Inspector identified the main issue is whether Condition 6 was necessary to protect the amenity of neighbouring occupiers, with particular regard to privacy.

- i) The window would face Round Hill Primary School and would be away from neighbouring properties. The inspector concluded that given the distance, 70m to the east, no additional overlooking would arise.
- ii) The inspector considered that the removal of Condition 6 would not be contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019).

**Conclusion**

The Inspector concluded that Condition 6 is not necessary and therefore fails to meet the tests set out in Paragraph 57 of the National Planning Policy Framework. Accordingly, the appeal should be allowed.