

Appeal Decision

Site visit made on 3 January 2017

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th January 2017

Appeal Ref: APP/Q3060/D/16/3155100

57 Summerwood Lane, Nottingham, NG11 9FU

- 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 Smith against the decision of City of Nottingham Council.
 - The application Ref: 16/01135/PFUL3 (PP-05150739), dated 17 May 2016, was refused by notice dated 15 July 2016.
 - The development proposed is a two storey extension to the side of the property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the proposed development on the occupiers of the neighbouring residential property with particular regard to overbearing, light and outlook; and
 - The effect of the proposed development on the character and appearance of the area.

Reasons

Living conditions of the neighbouring occupiers

3. The National Planning Policy Framework requires as one of the core planning principles that new development should be of a high quality of design and provide a good standard of amenity for all existing and future occupiers of land or buildings. This is echoed in Policy 10 of the Nottingham City Aligned Core Strategy (Part 1 Local Plan) 2014 (Core Strategy) which seeks to ensure that new development does not have an adverse impact on the living conditions of nearby residents or occupiers.
 4. The appeal building is an end of terrace property and the design of terrace is such that the main entrance to the house and sole window to one of the first floor bedrooms is located on the gable end of terraced block. The neighbouring property, number 55 Summerwood Lane, at the end of the next terraced block, is a mirror image of the appeal property and, similarly, has the main entrance and bedroom window on the end gable. The two terraced blocks are separated by a gap approximately 4.6 metres wide and the appeal building is set forward of number 55.
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5. The proposed extension would bring the gable wall of the appeal building approximately 1.8 closer to number 55 and reduce the gap between the buildings to approximately 2.8 metres. Although there would be three small, opaque glazed, windows in the gable wall of the proposed extension, it would result in a two storey, largely blank, wall approximately 2.8m from the bedroom window and front door of number 55. Due to the offset between the houses there will be some, limited, outlook from this bedroom window at present. However, this would be significantly reduced by the size and proximity of the proposed extension. Although a bedroom is not one of the principal habitable rooms within a dwelling, it is nonetheless a room where a considerable amount of time is spent. The proposed extension would result in a very poor outlook from this bedroom and would appear excessively oppressive to the occupants.
6. Due to the orientation and relative positions of the houses, although number 55 is located to the north of the appeal building, the extension would not significantly reduce the amount of sunlight received by this window. However, by reducing the gap between the buildings it would diminish the amount of daylight received by this window.
7. Although it is of less significance, the size and position of the extension in relation to the front door of number 55 would be overbearing to occupiers entering or leaving the neighbouring property. In combination with the effect that it would have on the first floor bedroom window, the proposed extension would have an unduly overbearing effect on the occupiers of number 55.
8. I note that the appellant states there would be more than two metres between the two buildings, nevertheless, I do not consider that this would mitigate the excessively dominant effect of the proposed extension which would result from its size and proximity.
9. I therefore find that the proposed extension would cause harm to the living conditions of the neighbouring residential property with particular regard to overbearing, light and outlook. It would be contrary to the requirements of Policy 10 of the Core Strategy which seeks to ensure that new development does not adversely affect the living conditions of neighbouring occupiers. It would also be inconsistent with the requirements of the Framework which requires a good standard of amenity for all occupiers.

Character and appearance

10. The appeal building is located in an area primarily consisting of terraced and semi-detached houses in a limited range of designs. Although many of these have been altered by the addition of small porches and by the replacement of windows, the uniformity of original design of the houses and common materials gives a strong degree of homogeneity to the area and to the street scene. Within this, the symmetry of terraces and pairs of semi-detached house is a strong characteristic of area.
11. By carrying through the ridgeline of the roof and aligning the front and rear walls of the extension with those of the existing house, the development would elongate the terrace and disrupt the repeating pattern of door and window openings evident within it. The relocation of the principal entrance door to the front facade would also disrupt strongly symmetrical form of the terrace. As a

result the development would appear as an incongruous feature that would not sit comfortably within the existing street scene.

12. I therefore conclude that the proposed development would cause harm to the character and appearance of the area. It would be contrary to the relevant requirements of Policy 10 of the Core Strategy which seeks to ensure that new development is of a high standard of design that has regard to its context and the architectural style and detailing of the surrounding area.

Conclusion

13. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR