
Appeal Decision

Site visit made on 3 April 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 12 April 2017

Appeal Ref: APP/P3040/D/17/3171302

14 Sandringham Avenue, West Bridgford, NG2 7QS.

- 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 & Mrs Blaise Ford against the decision of Rushcliffe Borough Council.
 - The application Ref 16/02783/FUL, dated 30 October 2016, was refused by notice dated 21 December 2016.
 - The development proposed is a first floor extension over existing garage. First floor balcony.
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Decision

1. The appeal is dismissed insofar as it relates to the first floor extension over existing garage. The appeal is allowed insofar as it relates to the first floor balcony and planning permission is granted for a first floor balcony at 14 Sandringham Avenue, West Bridgford, NG2 7QS in accordance with the terms of the application, Ref 16/02783/FUL, dated 30 October 2016, so far as relevant to that part of the development hereby permitted and 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: 1602/LP, 1602/P2, 1602/P3 and 1602/P4 rev A.
 - 3) No development shall take place until details of the materials to be used in the construction of the balcony hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Preliminary Matters

2. For the reasons that follow, I find the proposed first floor extension to be unacceptable. However, there is no dispute between the parties that the first floor balcony and associated alterations would be acceptable and I see no reason to take a contrary view. As the balcony is clearly severable both physically and functionally from the first floor extension, I intend to issue a split decision in this case and grant planning permission for the balcony.
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Main Issues

3. The main issues are the effect of the development on, firstly, the character and appearance of the area and, secondly, the living conditions of the occupiers of 2 Trentside with particular regards to outlook, privacy and overshadowing.

Reasons

Character and appearance

4. The appeal property is a spacious 2-storey dwelling, sited at the end of a small cul-de-sac immediately east of the River Trent and south of the County Council offices. Sandringham Avenue comprises mainly detached and semi-detached properties of similar scale and design dating from the 1920s. The prevalence of repeated features such as front gables, decorative joinery, canted bay windows, arched doorways and low frontage walls give the street an attractive suburban character.
5. The appeal property has already been extended at ground floor level with a large attached double garage. As I saw when I conducted my site visit, it is already one of the largest properties in the street which occupies a high proportion of its plot with little breathing space around it. The proposed extension would be built above the existing attached garage. It would thus significantly erode the visual and spatial gap at first floor level between No 14 and its immediate neighbour to the east. This gap along with the corresponding one on the south side of the street contributes to a more spacious pattern of development between those properties fronting the riverside and those set further back.
6. I also share the concerns of the Council that due to its anomalous squat proportions the first floor extension would be an incongruous feature in the street scene. It would relate poorly in architectural terms to the attractive valley roof to the host dwelling and would further increase its size such that it would be decidedly different to anything else in the street. This would represent a marked departure from the established character of Sandringham Avenue.
7. Based on the foregoing, I conclude that the development would harm the character and appearance of the area. It would thus conflict with Policy GP2 of the "*Rushcliffe Borough Non-Statutory Replacement Local Plan 2006*" (the LP) and Policy 10 of the "*Rushcliffe Local Plan Part 1: Core Strategy 2014*" (the CS). Amongst other things these seek to ensure that the scale, density, height, massing, design and layout of new development are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. These aims are generally consistent with those of the "*The National Planning Policy Framework*" in terms of the need to ensure that development responds to local character, reflects its surroundings and adds to the overall quality of the area.

Living conditions

8. The small east facing garden to 2 Trentside is located directly behind the existing double garage. Consequently, its private amenity space would be sited very close to the back elevation of the extension. From the garden of No 2 the new areas of brickwork and roofslope would loom large just beyond the shared boundary. The proximity and prominence of extension would thus result in

oppressive outlook from the rear garden of No 2 which would lead to an overbearing impact on the garden which would materially diminish the enjoyment of occupiers of that dwelling.

9. I also share the Council's concerns that the extension would significantly erode the amount of sunlight to the rear garden of No 2. The two rooflights in the rear roofslope would also create at least the perception of being overlooked. For these reasons, there would be conflict with Policy GP2 of the LP and Policy 10 of the CS which collectively seek to ensure the amenity of nearby residents is not unduly compromised by new development.
10. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans as this provides certainty. In order to protect the character and appearance of the area, I have also imposed a condition requiring the external materials used in the construction of the balcony to be submitted and agreed with the Council.

Conclusion

11. For the reasons given above and taking account of all other matters raised, I conclude that the appeal should be allowed insofar as it relates to the balcony and dismissed insofar as it relates to the first floor extension.

D. M. Young

Inspector