
Appeal Decision

Site visit made on 16 May 2017

by Jameson Bridgwater PGDipTP MRTPI

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

Decision date: 26 May 2017

Appeal Ref: APP/P3040/D/17/3174908

2 Sherborne Road, West Bridgford, Nottinghamshire NG2 7BN

- 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 Tim Read against the decision of Rushcliffe Borough Council.
 - The application Ref 16/02934/FUL, dated 22 November 2016, was refused by notice dated 8 February 2017.
 - The development proposed is described as 'single storey first floor side extension'.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 2 Sherborne Road, West Bridgford, Nottinghamshire NG2 7BN in accordance with the terms of the application, Ref 16/02934/FUL, dated 22 November 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: AD151601-A3, AD151602-A3, AD151603-A3, AD151604-A3, AD151605-A3, AD151606-A3, AD151607-A3, AD151608-A3, AD151609-A3, AD151610-A3, AD151611-A3, AD151612-A3, AD151613-A3, AD151614-A3 and Location Plan.
 - 3) The external materials to be used in the development hereby permitted shall match in colour, form and texture those of the existing building.
 - 4) Before the first occupation of the extension hereby permitted the vertical pane of the window on the eastern elevation serving the sun lounge shall be fitted with obscured glass to the height of 2100mm above the finished floor level and shall be permanently retained in that condition.

Procedural Matter

2. The description of development was amended by the Council at the application stage to refer to 'first floor side extension (re-submission)'. However, it is not necessary to use the term 're-submission' as this is superfluous and I have therefore used 'first floor side extension' in my decision as this more accurately describes the proposal.
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Main Issue

3. The main issue in the appeal is the effect of the proposal on the character and appearance of the host dwelling and the area.

Reasons

4. Sherborne Road is a pleasant suburban residential street that is characterised by two storey detached and semi-detached properties that share a similar palette of materials. Although it would appear that they were built around the same period, I note from my site visit that there are a variety of different house designs. Furthermore, many of the properties in the area have been the subject of extensions and alterations with an array of design solutions applied.
5. The appeal site is a detached property with an attached single storey garage. The property has off-street car parking to the front and a private garden to the rear. The key features of the dwelling are the hipped roof with over-sailing eaves, round bay windows at ground floor and first floor, a triangular bay window at first floor and distinct detailing around the entrance.
6. The main area of dispute between the parties relates to the design of the extension with the appellant stating their desire for an innovative modern extension. In particular the Council's concerns relate to the proposed dual pitched roof which would have a prominent front facing gable, and tile hung flank elevation.
7. It is clear from the evidence before me and my on-site observations; that the proposal seeks to reflect and respect the locally distinct front facing gable design feature that is common in the local area; albeit with a modern-day interpretation. Further, I consider that whilst the roof design of the extension is different, the proposed design would allow the observer to visually appreciate the host dwelling's original hipped roof as it was intended. Moreover, I am not persuaded that the proposed architectural relationship between the first floor street facing window arrangement and the fenestration of the garage door would result in material harm to the appearance of the host dwelling. As a result the proposed extension would be clearly interpreted as a subordinate later addition that would positively add architectural interest to both the host dwelling and the street scene.
8. Moreover, due to a combination of existing built form, boundary treatments and established landscaping, the proposed flank elevation would only be seen in glimpses from a number of limited vantage points in Sherborne Road and Selby Road. Moreover, the Council's suggested materials condition would ensure that hung tiles would match the colour of the host dwelling. Consequently, I consider that the proposed contemporary design approach would not appear unsympathetic to the host dwelling or appear incongruous in the suburban street scene.
9. Having come to the conclusions above, it follows that the proposal would not materially harm the character and appearance of the host dwelling or the area. Consequently, there would be no conflict with Policy GP2 (d) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and Policy 10 (2g) of the Rushcliffe Local Plan Part 1: Core Strategy. These seek amongst other things to ensure that development is sympathetic to the character and appearance of the neighbouring buildings with particular regard to materials, architectural style

and detailing. Moreover there would be no conflict with the National Planning Policy Framework.

Other considerations

10. Interested parties have raised concerns in relation to the effect of the proposal on living conditions, with particular regard to outlook and privacy. However, based on my observations and the information before me there is no substantive evidence that contradicts the conclusion of the Council. Who found that, subject to the imposition of a condition requiring obscure glazing to the proposed sun lounge, there would be adequate separation between the proposed extension and adjoining properties.
11. In reaching my decision, I have had due regard to the need to eliminate unlawful discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it in accordance with s149 of the Equality Act 2010. However, after taking into account the protected characteristics of the neighbour and their particular health problems, I have concluded that the proposal would not cause any significant reduction in the quality of the living conditions they currently experience.

Conclusion and Conditions

12. The conditions suggested by the Council have been considered in light of the advice contained within the national Planning Practice Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, it is necessary for certainty, to define the plans with which the scheme should accord. To ensure the satisfactory appearance of the scheme it is necessary for details of materials to match those of the host dwelling. To ensure adequate privacy for occupiers of the adjoining property it is necessary to impose a condition relating to the obscure glazing of the side facing sun lounge window. Given that this has been agreed by the parties and is confirmed in the Council's officer report would mean that this condition would not come as a surprise to the appellant or Council.
13. For the above reasons and having regard to all other matters I conclude that the appeal should be allowed.

Jameson Bridgwater

INSPECTOR