
Appeal Decision

Site visit made on 24 October 2017

by R Norman BA (Hons) MA MRTPI

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

Decision date: 8th November 2107

Appeal Ref: APP/E2530/D/17/3180041

Alberic Cottage, Low Road, Barrowby NG32 1DD

- 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 John Ferguson against the decision of South Kesteven District Council.
 - The application Ref S17/0598, dated 27 March 2017, was refused by notice dated 6 June 2017.
 - The development proposed is an extension to the rear of the property to be constructed on three floors, ground, first and second floors. Reception hall to front of property housing a wash room and being the main access to the property.
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Decision

1. The appeal is allowed and planning permission is granted for an extension to the rear of the property to be constructed on three floors, ground, first and second floors and a reception hall to the front of the property housing a wash room and being the main access to the property at Alberic Cottage, Low Road, Barrowby NG32 1DD in accordance with the terms of the application, Ref S17/0598, dated 27 March 2017, 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: 01 Site Plan; 02 Site Plan; 1. Proposed North View; 2. Proposed East View; 3. Proposed South View; 4. Proposed West View; 5. Proposed Ground Floor Plan; 6. Proposed First Floor Plan; 7. Proposed Second Floor Plan; 8. Proposed Roof Plan.
 - 3) Before any part of the development hereby permitted is occupied/brought into use, the first floor windows on the east elevation shall have been installed with obscure glazing and with no opening part being less than 1.7 metres above the floor level immediately below the centre of the opening part. The obscure glazing shall be obscured to a minimum of Pilkington Privacy Level 3 or an equivalent product. Once installed, the window units shall thereafter be retained as such at all times.

Main Issues

2. The main issues are the effect of the development on
 - The character and appearance of the existing dwelling; and

- The living conditions of adjoining occupiers at Elmside with particular regard to overbearing impact and loss of light.

Reasons

Character and Appearance

3. The appeal property is set within a linear row of properties fronting onto Low Road. It sits adjacent to Scalford Lodge, which is a bungalow, and Elmside which is a large extended house. The Appeal property is currently more modest in scale than the extended Elmside. The immediate street scene along this part of Low Road is varied in terms of the scales and designs of the properties, with an in-depth development, Charnwood Close, set beyond. I have had regard to the extensions and alterations to Elmside which resulted in a significant change from a modest bungalow to a large two storey dwelling. This has had the effect of altering the character of development along this part of Low Road and I have given this moderate weight in my considerations of the appeal proposal.
4. The proposed extension, although set over three floors, would not be visible from the public realm and, coupled with the varied appearance of dwellings in this location, the development would integrate well with the style of surrounding properties and there would be no harm on the visual character and appearance of the area from any public viewpoints. Although the proposed development would not be subservient to the host dwelling due to the ridge height and overall depth of the extension, the host dwelling would also be remodelled with a change in materials to include render and timber cladding. As such, rather than appearing as an extension, the dwelling would read as a whole and as such, the lack of subservience would not be harmful to the appearance of the dwelling. Furthermore, the depth of the proposed extension would not extend as far as either Scalford Lodge or Elmside, although it is acknowledged that these are single storey at their furthest points. Nevertheless, the site and adjoining sites have extremely long gardens which could easily accommodate an extension of this scale and depth and therefore the lack of subservience is not harmful in this instance.
5. For the above reasons, the development would not be harmful to the character and appearance of the area or the host dwelling. The proposed development would therefore comply with Policy EN1 of the South Kesteven District Council Local Development Framework for South Kesteven Core Strategy (2010) which states that development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration, including the layout, scale and visual intrusion. It would also accord with the National Planning Policy Framework which attaches great importance to the design of the built environment.

Living Conditions

6. The proposed extension would run alongside the side boundary with Elmside, but would not extend as far as the single-storey rear extensions on this adjoining property. Elmside has ground floor windows in the side elevation of the main part of the dwelling facing the appeal site and in the rear single-storey element of the building. Whilst the proposed development would introduce a large extension in terms of height and depth adjacent to these windows, which would result in some restriction of daylight and sunlight, the

rearmost room is also served by bi-fold doors to the rear which would allow light throughout. Furthermore, the side windows are already somewhat affected in terms of loss of light and outlook by the existing boundary fencing and current two storey dwelling, therefore the proposed development would not result in any undue harm in terms of dominance, outlook or loss of light to the habitable rooms of the adjacent dwelling.

7. The proposed development has been sited away from the existing bungalow, Scalford Lodge. Although there are some first floor windows facing this property, any harm arising as a result of this could be sufficiently mitigated through the use of obscure glazing and fixed shut windows.
8. Given the above considerations, the proposed development would comply with Policy EN1 of the South Kesteven District Council Local Development Framework for South Kesteven Core Strategy which seeks to avoid visual intrusion and ensure that development is appropriate to the character of the area. It would also accord with the National Planning Policy Framework which requires development to secure a good standard of amenity for all existing and future occupants of land and buildings.

Conditions

9. In addition to the standard time limit condition, I have imposed a condition listing the approved plans for the purposes of clarity. I have not imposed a condition requiring the materials to match the existing as the materials for the existing dwelling are to be altered to include timber cladding. In addition, the materials are listed on the plans therefore a condition is not necessary. The Council have requested a condition requiring obscure glazing to the first floor eastern elevation and this is necessary to protect the living conditions of the neighbouring occupants at Scalford Lodge.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

R Norman

INSPECTOR