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## Appeal Decision

Site visit made on 15 July 2019 by Darren Ellis MPlan

**Decision by Susan Ashworth BA (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 30 July 2019**

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**Appeal Ref: APP/W1905/D/19/3230119**

**84 Boundary Road, Beeston, Nottingham, NG9 2QZ**

- 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 Dr Saeeda Rahman against the decision of Broxtowe Borough Council.
  - The application Ref 18/00662/FUL, dated 26 September 2018, was refused by notice dated 15 March 2019.
  - The development proposed is a two-storey rear & side and single storey rear extension and rear dormer.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary Matters

3. Planning permission was granted in 2017 for a single-storey rear and two-storey rear and side extensions<sup>1</sup>. These extensions were not built in accordance with the approved drawings, as the roof of the side extension has not been set down and a rear dormer has been erected on the original roof. The proposal before me seeks to regularise the matter.
4. There is some debate between the parties as to whether the rear dormer could be constructed without planning permission under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, whether or not the dormer window is permitted development is not for me to consider in the context of an appeal made under s78 of the above Act. I have therefore dealt with the appeal on the basis of the plans submitted to me.
5. The planning application was determined by the Planning Committee against the advice of officers. Whilst I have taken the officers' report into consideration, I have determined the appeal on the basis of the reasons for refusal and considered the proposal on its own merits.

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<sup>1</sup> Application ref: 17/00274/FUL

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## **Main Issue**

6. The main issue is the effect of the development on the character and appearance of the property and the area.

## **Reasons for the Recommendation**

7. The street is characterised by semi-detached and terraced properties with hipped roofs. Properties are largely of a similar design and materials, with a uniformity to their roof pitches, albeit that the adjacent property has a front gable feature. The consistent appearance of the properties forms a distinct rhythm and pattern which contributes positively to the appearance of the area.
8. The side extension has a ridge height that matches the existing roof, and the first floor of the extension is set back which creates a different roof pitch to the original roof. Such an arrangement with differing roof pitches is not in keeping with the character and appearance of the property or wider street scene. Furthermore, the extension lacks subservience to the original dwelling owing to the matching ridge heights.
9. The area in between the original and extension roofs is covered by a white UPVC board and the bricks that have been used for the side extension are of a different appearance to the bricks of the original dwelling. These uncharacteristic features increase the incongruity and prominence of the extension. I acknowledge that the Council's planning officer recommended conditions, and that the appellant would be willing for conditions to be attached, that would require the bricks be tinted to match the bricks of the original dwelling and the white UPVC board to be replaced with bricks or tiles. I am unconvinced that tinting bricks in such a manner would achieve the desired result, but moreover, such measures would not outweigh the harm that is caused by the differing roof pitches and the lack of a set down in the ridge height of the extension.
10. The dormer spans most of the width of the original dwelling, has a flat roof, and is set just under the ridge of the original roof. Owing to its size, form and scale it dominates the form and appearance of the original roof. The dormer is visible from Brook Road to the south-east, and there are no other rear dormers visible at the adjacent properties. The dormer is therefore an uncharacteristic feature which detracts from the appearance and character of the appeal property and the street scene. While the window in the dormer is not centralised, this is not excessively apparent when the dormer is viewed from Brook Street and as such does not cause any additional visual harm.
11. Policy H9 of the Broxtowe Local Plan and Policy 10 of the Broxtowe Aligned Core Strategy seek to protect appearance and character through high quality design including through ensuring that the massing, form and appearance of a proposal ensures that it integrates with its surroundings. The emerging Broxtowe Local Plan has not been adopted and therefore the policies within this document are afforded limited weight. However, it is noted that the aims of Policy 17 of the emerging Local Plan align with the aims of Policies H9 and 10.
12. For these reasons, the side extension and rear dormer cause significant harm to the character and appearance of the appeal property and the surrounding area, and would therefore be contrary to Policy H9 of the Broxtowe Local Plan,

Policy 10 of the Broxtowe Aligned Core Strategy and Policy 17 of the emerging Broxtowe Local Plan.

**Other matters**

13. There is no evidence before me to suggest that it is intended to use the property as a House in Multiple Occupation, and therefore this matter is not determinative in this appeal.
14. No concerns were raised by the Council with regards to the effect of the development on the neighbouring properties, and I have no reason to disagree.

**Conclusion**

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*Darren Ellis*

APPEAL PLANNING OFFICER

**Inspector's Decision**

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*S Ashworth*

INSPECTOR