The Planning Inspectorate

Appeal Decision

Site visit made on 16 October 2019

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2019

Appeal Ref: APP/B3030/D/119/3234298
Eden, Great North Road, South Muskham NG23 6DY

- 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 Mark Godney against the decision of Newark & Sherwood District Council.
- The application Ref 19/00623/FUL, dated 28 March 2019, was refused by notice dated 18 June 2019.
- The development proposed is a two storey side extension.

Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at Eden, Great North Road, South Muskham NG23 6DY in accordance with the terms of the application, Ref 19/00623/FUL, dated 28 March 2019, 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: MG-05 (amended plan–13-05-19), MG-06 (amended plan–13-05-19), MG-07 (amended plan–13-05-19), MG-08 (amended plan–13-05-19), MG-09 (amended plan–13-05-19).

Main Issues

2. The main issues are the effect of the proposed development on (i) the character and appearance of the area, and (ii) the living conditions of the occupiers of Fern Lea, with regard to outlook and light.

Reasons

3. The appeal dwelling lies close to the settlement of South Muskham but is separated from it due to the presence of intervening fields. It is positioned at the end of a short row of dwellings. The plot widths of the dwellings in this row varies, as does the design of the dwellings themselves and their relative scales, with bungalows and two storey dwellings noted. For these reasons, the row of dwellings does not have a particular defining character and appearance, but nonetheless the collection of dwellings makes a positive visual contribution to the surrounding area.

4. On the opposite side of Great North Road there are open fields with no pedestrian footway present. In addition, the site is presently well screened by mature vegetation sited along its front boundary and whilst it cannot be

guaranteed that this would remain in situ in the future, the appeal dwelling is set well back from the Great North Road frontage and accordingly this reduces its visual impact upon the street scene.

5. The proposal would replicate the design and appearance of the existing dwelling, in particular through the use of a front gable that would match that of the existing dwelling and a matching ridge height. As a result, it would not cause harm to the character and appearance of the host dwelling. The Council's concern lies primarily with the scale of the proposal, including that it would not be subservient to the existing dwelling and that it would appear as a pair of semi-detached dwellings.

6. However, the proposed extension would be set far enough back from the road frontage and from the adjacent dwelling, Fern Lea, to ensure that it would not have a harmful visual impact upon the character and appearance of the area or appear as an unduly dominating feature by reason of its scale. In the absence of harm in this regard, it is not necessary that the proposal be designed so to be subservient to the existing dwelling. Whilst I accept that the resultant dwelling would be large in size, it would sit well both on the substantial plot on which it would be located and within the wider street scene. In terms of its design, I do not share the Council's concern that the development would appear as a pair of semi-detached dwellings.

7. For these reasons I conclude that the development would not cause harm to the character and appearance of the area. Consequently, there would be no conflict with the design aims of Policies DM5 and DM6 of the Newark & Sherwood Local Development Framework Allocations & Development Management Development Plan Document 2013 (DPD) or the Householder Development Supplementary Planning Document 2014 (SPD), all of which seek to safeguard the character and appearance of the area. The Council has referred to Core Policy 9 of the Amended Core Strategy 2019 (ACS) in its Officer Report but not on its Decision Notice. I do not however find any conflict with the objectives of that policy.

Living conditions

8. Fern Lea has a window on its side elevation which serves a sitting room and which would face towards the gable end of the proposed development. I was however able to observe during my site visit that the room in question is also served by another, larger, window positioned on the front elevation of the dwelling. In addition, the proposed gable end would, in my view, be set a reasonable distance from both the common boundary and the window on the side of Fern Lea so to minimise any impact that would arise. For these reasons, the proposal would not cause harm to the living conditions of the occupiers of Fern Lea through loss of outlook or light.

9. The occupier of Fern Lea has requested that the side elevation of the proposed extension be externally finished with render, as opposed to the brick shown on the plans. However, I have found that the proposal would, by reason of its siting and design, not cause harm to the living conditions of the occupiers of this adjacent dwelling. Therefore, whilst I note the request for the use of render, in this instance it would not be reasonable or necessary to make this a requirement of the planning permission.

10. I conclude therefore that the proposed development would be acceptable with regard to the impact upon the living conditions of the occupiers of Fern Lea and that there would be no conflict with Policies DM5 and DM6 of the DPD or with the SPD, all of which seek to protect the living conditions of the occupiers of adjacent dwellings.

Other matters

11. The Parish Council has objected on the grounds of highway safety, but this has not been raised as a concern by the Council. I did however note during my site visit that there is ample off-road parking space available at the dwelling and that this would be unaffected by the proposed development. I also observed that the electric gates to which the Parish Council refer are already in place, but in any event these do not form part of the proposal subject to this appeal.

Conditions

12. The Council has requested conditions relating to the time period for the implementation of the planning permission and with respect to the approved plans. I consider that both of these conditions are required to define the terms of the permission. A condition has also been requested that the materials used in the construction of the proposed development are those shown on the approved plans, however the approved plans condition would require compliance with this. It is not therefore necessary to impose a separate condition relating to external facing materials.

13. I note the request from the Drainage Board with respect to the imposition of a drainage condition, however, due to the scale and nature of the proposed development, I do not consider it necessary to impose such a condition in this instance.

Conclusion

14. For the reasons given above, I conclude that the appeal, subject to conditions, should be allowed.

Graham Wraight

INSPECTOR