
Appeal Decision

Site visit made on 29 January 2020

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2020

Appeal Ref: APP/Q3060/D/19/3239008

6 Toston Drive, Nottingham NG8 1DA

- 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 Robert Lloyd against the decision of City of Nottingham Council.
 - The application Ref 19/01252/PFUL3, dated 30 April 2019, was refused by notice dated 13 August 2019.
 - The development is described as 'retention of dormer to rear'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the description of development as it is shown on the planning application form is not sufficiently clear, I have taken it from the appeal form. This is more than sufficient to explain the development to which the appeal relates and it is the same description shown on the Council's decision notice. I have proceeded on the basis that no party would be prejudiced by my use of this description which, in any case, does not change anything fundamental.

Main Issue

3. The main issue is whether the development preserves or enhances the character or appearance of the Middleton Boulevard Conservation Area (MBCA).

Reasons

4. The appeal building is a semi detached bungalow that's side onto Toston Drive. Its part of a group of six that face into a shared pedestrian only access in a horseshoe layout. A mirror image of the arrangement runs off Toston Drive directly opposite. The appeal building, others within its group and the wider street scenes either side of Toston Drive form a designed estate of dwellings of a largely uniform size, design and siting. Roofs are both hipped and gabled but their shape, span and size relative to the buildings they cover form a strong feature in the street scene, along with the use of light coloured textured render to the walls. With some exceptions, roof shapes also tend to be largely unbroken, most having roof windows as a result of loft conversions. The bungalows, both individually and as a group in terms of their layout, design and homogeneity make a positive contribution to the MBCA. The appeal

scheme seeks retrospective planning permission for the dormer window, the works having already been carried out.

5. Whilst not overly wide, the dormer in this case is tall. The bulk and mass therefore forms a dominant feature of the roof slope which includes more inconspicuous roof windows either side. It may be to the rear of the building, but the siting of the bungalow side onto Toston Drive makes the rear elevation of the roof highly visible. The size of the dormer is set against other unbroken roof scapes in the immediate area, exacerbating its prominence.
6. I note that planning permission has been granted for a dormer in the rear roof slope¹, the one currently attached to the appeal building having been built larger than that which was approved. There is therefore some degree of fall back to consider. That said, I have seen the plans that were approved and whilst the differences might not be significant I do feel that what has been erected on site has gone too far, particularly in terms of the structure's height which does greatly increase its prominence on a highly visible roof slope. Furthermore, being one of a number of bungalows on a wide floor plan, there is a strong horizontal emphasis to the appeal building's appearance and fenestration. An addition that appears overly narrow and tall jars with this, altogether representing an inappropriate and awkward addition.
7. The appeal scheme therefore causes harm to the design and appearance of the building, accordingly harming the MBCA. Given the scale of the development in context, such harm would be less than substantial. Nonetheless, and as a heritage asset, I am required by paragraph 196 of the Framework² to balance the harm to the MBCA against the development's public benefits. Aside from increasing the space inside the dwelling, there does not appear to be any further benefits arising. As a consequence, and given the weight that the Framework suggests should be ascribed to the conservation of heritage assets, it seems to me that the harm could unlikely be outweighed.
8. The appeal scheme therefore fails to either preserve or enhance the character or appearance of the MBCA. In so being, the development is contrary to saved Policy BE12 of the Local Plan³ and Policies 10 and 11 of the ACS⁴. Together, amongst other things and along with section 16 of the Framework, these policies seek to ensure that development preserves or enhances the character or appearance of Conservation Areas, protects the historic environment more generally and has regard to massing, scale and proportion.

Other Matters

9. As part of my site visit I was aware of dormer structures and roof alterations on other bungalows in and around Toston Drive. In one case there is a relatively wide addition to the street facing elevation of a dwelling in the horseshoe group opposite the appeal building. Be this as it may, such things appear as obvious later additions, some harmful in themselves and others not part of the Toston Drive street scene but ultimately they are exceptions rather than the norm and thus not so significant that one would reasonably consider them a defining feature of the MBCA. I am also not aware of the circumstances of any planning permissions that exist for these additions if indeed if they do.

¹ Local Planning Authority Reference 18/01019/PFUL3

² The National Planning Policy Framework 2019

³ Nottingham Local Plan 2005

⁴ Broxtowe Borough, Gedling Borough and Nottingham City Aligned Core Strategies Part 1 Local Plan 2014

In any case, the erosion of designed character traits such as what has occurred through the addition of such roof alterations on other dwellings gives all the more support in my mind to resist inappropriate additions such as the appeal scheme in order to retain those features which define buildings within the MBCA. I am therefore not minded to allow the appeal.

Conclusion

10. Whilst I have had regard to other matters that have been raised, which includes the views of local residents, it is for the reasons I have set out above that the appeal is dismissed.

John Morrison

INSPECTOR