



Appeal Decision

Site visit made on 11 February 2020

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State.

Decision date: Wednesday, 19 February 2020

Appeal Ref: APP/X3025/W/19/3238823

Freshfields, 11 Northfield Lane, Pleasley Vale, Mansfield, Nottinghamshire, NG19 8SF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Chris Unwin against the decision of Mansfield District Council.
 - The application Ref 2019/0378/HHA, dated 5 July 2019, was approved on 7 August 2019 and planning permission was granted subject to conditions.
 - The development permitted is to add a single storey extension to the left side of the kitchen to be used as a play/toy room. Cladding to be Black cement board, flat roof with lantern skylight.
 - The condition in dispute is No 3 which states that: The materials to be used in the development hereby permitted shall match as closely as possible those used in the construction of the existing building, unless otherwise agreed in writing by the local planning authority.
 - The reason given for the condition is: In the interests of visual amenity and to accord with the Saved Policy BE 1 (28/09/07) of the adopted Mansfield District Local Plan.
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Decision

1. The appeal is allowed and planning permission ref: 2019/0378/HHA, for single storey extension to the left side of the kitchen to be used as play/toy room. Cladding to be Black cement board, flat roof with sky lantern, is varied and condition 3 is removed.

Preliminary Matters

2. The description of development used by the Council on the Notice of Decision granting planning permission uses a different description to that on the application form. The description of development on the application form specifies the materials which will be used to clad the extension. I have therefore used the description of development from the application form in this decision.

Main Issues

3. Whether condition 3 is necessary having regard to the impact of the extension on the character and appearance of the area.

Reasons

4. The dwelling is located at the end of a narrow lane and is surrounded by open fields and the large gardens of neighbouring houses. The lane is a no through road and there are no views into the rear garden of the dwelling, either from the surrounding land or from neighbouring properties.

5. Condition 3 seeks to protect visual amenity. The Council argue that this is in accord with the saved Policy BE1 of the adopted Mansfield District Local Plan, the development plan. Policy BE1 seeks to ensure that developments are of a high standard of design, maintain high standards of visual appearance and that the materials used are in keeping with the site's surroundings.
6. I find that the development is in accordance with the Policies of the development plan, as the materials to be used on the proposed extension, whilst not matching the existing house are in keeping with the site's surroundings, being located in the back garden of the existing house and adjacent to existing outbuildings. Furthermore, there is no visual impact of the development on the surroundings of the site, as the extension is only visible from inside the site. There is no impact on the wider area or the street scene. Therefore condition 3 is unnecessary as the development is acceptable without the need for a condition to require the materials from which it is constructed to match the existing building.

Conclusion

7. I find that having regard to all matters before me, including the policies of the development plan, when read as a whole, the appeal should be allowed and condition 3 be removed from planning permission ref 2019/0378/HHA, dated 7 August 2019.

Peter Mark Sturgess

INSPECTOR