



Appeal Decision

Site visit made on 20 January 2020 by Darren Ellis MPlan

Decision by Jonathan Hockley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th March 2020

Appeal Ref: APP/Q3060/D/19/3239334

35 Knighton Avenue, Nottingham, NG7 5QD

- 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 Javeed Akhtar against the decision of Nottingham City Council.
 - The application Ref 19/01658/PFUL3, dated 23 July 2019, was refused by notice dated 16 September 2019.
 - The development proposed is the erection of a two storey side and single storey rear extension.
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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.

Procedural Matter

3. The Nottingham City Land and Planning Policies Development Plan Document (LAPP) was adopted in January 2020, after the original application was determined by the Council. The LAPP forms Part 2 of the Local Plan, with Part 1 being the Nottingham City Aligned Core Strategy (ACS) against which the original application was assessed. The LAPP now forms part of the development plan, and as such this appeal will be determined in accordance with both the ACS and the LAPP. Both the Council and the appellant have provided their comments on the relevant policy, DE1, of the LAPP.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site comprises a two-storey terraced dwelling with a detached garage to the rear. The street is comprised of terraced properties, built to a similar design with a half-timber gable feature located centrally within the front elevation of each terrace. This distinctive design of the dwellings adds to the character and appearance of the area, as does the open spaces created by the set-back nature of the properties and the gaps between the terraces. The
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proposed development would see the erection of a two-storey side extension and a single storey side and rear extension.

5. Planning permission was granted in 2018 at the site for a two-storey side extension, single-storey rear extension and a detached garage. At the time of my site visit construction was yet to start on the extensions, however the detached garage has been built. The first floor of the extension is unchanged in the appeal scheme, with the ground floor of the extension now proposed to be 1.6m wider.
6. The appeal property is on a corner plot, with an area of garden to the side in addition to the rear garden. The property to the rear of the appeal site, 40 Radford Grove Lane, is also a corner plot and has a similar area of garden to the side. These areas, while not large, create a degree of openness to the corner plots and add to the character and appearance of the area. While the approved extension would see the open space to the side of the appeal property reduced in size, the remaining space would be very similar in width visually to the open space to the side of No 40. The proposed extension would further reduce open space and would be much closer to the boundary of the appeal site, and as such would result in a loss of the open character of the corner plot.
7. The first floor of the extension would be set back from the front elevation and would have a ridge line lower than the ridge of the main roof. However, the width of the proposed ground-floor of the extension would appear to be approximately the same as the width of the existing house. As a result of this, the extension would not appear subservient to the main dwelling and would detract from the character and appearance of the property and street scene.
8. There is a conifer hedge to the side boundary that the appellant states will provide screening of the extension. However, the hedge could be reduced in height or removed completely at any time, and therefore it cannot be deemed to be a permanent screen. As such the presence of the hedge would not mitigate the visual harm identified.
9. For the reasons given above, I consider that the proposed development would have an adverse effect on the character and appearance of the area. The proposal would therefore be contrary to Policy 10 of the ACS and Policy DE1 of the LAPP which seek to create an attractive environment that respects and enhances the streetscape and states that development must have regard to the local context.

Other matters

10. I fully understand and acknowledge the appellant's reasoning for providing an increase in floorspace, namely for the wellbeing of their son, and I attach moderate weight to this reason. However, this does not outweigh the harm identified.
11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

D Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

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

J Hockley

INSPECTOR