



Appeal Decision

Site visit made on 13 May 2020

by R Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2020

Appeal Ref: APP/W3005/D/20/3244886

3 Lawns Road, Kirkby In Ashfield NG17 9JL

- 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 & Mrs Wilson against the decision of Ashfield District Council.
 - The application Ref V/2019/0639, dated 4 October 2019, was refused by notice dated 2 December 2019.
 - The development proposed is a single storey front extension and wall.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The appeal property is a detached bungalow located within a residential area. Although the street meanders, there remains a reasonably consistent building line with built form set back from the front boundary. This results in an attractive spacious suburban character.
4. The existing property and others in the street have existing front gable projections which form part of their character. However, the proposal would extend significantly to the front from the existing gable. Planting to the front of the neighbouring property would soften part of the extension. However, due to the extent of projection near the front boundary and with a blank gable elevation presenting to the street, it would appear as an overly dominant feature in the street scene.
5. I recognise that other properties in the area including along the street have been extended toward the highway. However, from the information provided none extend as close to the front boundary as the proposal would. Moreover, those that did project to the front incorporate windows on the front elevation which help break up the gable presentation to the public realm.
6. I recognise that the neighbouring property has a side extension which extends near the footway. However, this property is positioned on a corner where, due to its orientation, it is viewed predominantly as part of Lawns Road. Although extending close to the footway of Main Street, the built form maintains the spacious open character to the front of houses which contributes to the character of the area. As such, the circumstances that applied to this and the other cases are not directly comparable to the proposal before me.

7. It is put to me that if other properties along the street propose similar extensions then there would be no overriding detriment to the character of the area. However, no such scenario exists, and I must determine the appeal based on the proposal and circumstances before me. To this end, the proposed extension would be at odds with the prevailing pattern of the street's built form.
8. The front gardens of properties within the street are generally open in character. Where there are defined boundaries, there is a mixture of treatments including low walls, fencing and planting. The height of the proposed boundary wall and railings and width of the access point would still mean that open views to the property and frontage would be achievable. In this respect, I am satisfied that it would not appear at odds with the spacious open character of the area. However, this does not outweigh or alter my findings in respect of the proposed extension. I therefore find, that overall the proposal would result in significant harm to the character and appearance of the surrounding area.
9. The proposal would therefore fail to comply with the requirements of Policy ST1 (a) and (b) and Policy HG7 (a) of the Ashfield Local Plan Review (adopted 2002). These require, amongst other things, that development will be permitted where it will not adversely affect the character of the environment. Despite their age, in so far as they are relevant to this proposal, these policies are consistent with the requirements of the Framework. The proposal would therefore conflict with the guidance within section 12 of the Framework including paragraph 127, which broadly seeks to secure high quality design.

Other Matters

10. Given the modest scale of development proposed, the associated benefits would be reasonably limited and outweighed by the harm, given the nature and the extent of harm, I have identified to the character and appearance of the area. I have come to this conclusion having regard to the importance that the government places on achieving sustainable development, making effective use of land and improving the living conditions for occupants of existing properties.
11. I have had regard to the representation received during the planning application raising various concerns. However, as I am dismissing this appeal on other grounds, I have not pursued these matters further.

Conclusion

12. For the reasons outlined above, and having had regard to all matters raised, the appeal is dismissed.

Robert Walker

INSPECTOR