



Appeal Decision

Site visit made on 15 June 2020 by Andreea Spataru BA (Hons) MA

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2020

Appeal Ref: APP/Q3060/D/20/3248646

39 Gregory Street, Nottingham NG7 2NL

- 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 Shazad Afzal against the decision of Nottingham City Council.
 - The application Ref 19/02538/PFUL3 (PP-08289798), dated 12 November 2019, was refused by notice dated 2 January 2020.
 - The development proposed is a two storey side extension and a rear dormer.
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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.

Preliminary Matters

3. Since the issuing of the Council's Decision Notice, the Local Plan Part 2 (January 2020) has been adopted. Policy DE1 of the draft version of this plan was referred to within the Council's decision. The aims and objectives of Policy DE1, as outlined within the case officer report, insofar as they apply to this proposed development, have not materially changed between the draft and adopted version of the Local Plan Part 2. The appeal has therefore been considered against the adopted Local Plan Part 2 policy.
4. The proposal contains two elements; the Council found the rear dormer acceptable due to its position in relation to the street scene, thus the reasons for refusal relate only to the two-storey side extension. I shall consider the appeal development on the basis of the reasons for refusal.

Main Issues

5. The main issues are the effect of the proposal on:
 - the character and appearance of the street scene; and
 - the living conditions of the occupiers of Nos 41-47 Gregory Street, with particular regard to safety and security.

Reasons for the Recommendation

Character and appearance

6. The appeal site relates to an end of terrace, two-storey, hipped roofed dwelling located on the northern side of Gregory Street. There are four groups of terraced properties on this side of the street, with small gaps between them. There is consistency in terms of building and roof line, as well as roof style. The rhythm of the groups of terraced dwellings and their uniform appearance are positive features of the street scene.
7. The two-storey side extension would follow the existing ridge line; thus, the roof the original dwelling would be extended across the two-storey extension and would be converted from hipped to gable. The extension would project along the full depth of the host dwelling and would be sited close to the eastern side boundary of the site; thus, it would infill most of the gap between the host dwelling and the side boundary.
8. The change in the roof style would disrupt the symmetry of the group of terraced dwellings of which the appeal dwelling forms part. Moreover, due to its siting in relation to the host dwelling and the eastern side boundary, the extension would reduce the gap between buildings and would lengthen the terrace to a degree that would harmfully affect the rhythm of the groups of terraced dwellings.
9. The appellant refers to the existing dwelling, and terrace as originally constructed, as having a gable end. I have not been provided with any evidence that the roof of either the host dwelling or the neighbouring building has been altered and from what I have seen, their hipped roof appears original. Be that as it may, given my findings above, the development would significantly affect the character and appearance of the street scene.
10. The appellant has drawn my attention to the two-storey side extension of neighbouring property No 59 Gregory Street. Whilst this extension has not been set in from the side boundary, it is set well back from the front elevation of the main dwelling and it reflects the roof style of the host dwelling. As such, I do not find the proposal directly comparable to this extension.
11. Accordingly, I conclude that through a combination of its form and siting, the proposal would result in significant harm to the character and appearance of the street scene. Therefore, the development would be contrary to the objectives of Policy 10 of the Aligned Core Strategy and Policy DE1 of the Local Plan Part 2, which together require, amongst other things, that development is appropriate and sympathetic to its setting, and that it integrates well within the surrounding local area.

Living conditions

12. The eastern side boundary of the appeal site adjoins a footpath that provides access to the rear of properties 41-47 Gregory Street. I note that the Council has also referred to No 39, however this footpath does not serve the appeal property. The footpath is narrow; it has a low metal fence to both sides closer to the street, followed by higher timber fence on one side and a high hedgerow on the other side towards the rear.
13. The two-storey side extension would project only along part of the footpath. Given the close proximity of the extension to the eastern side boundary of the appeal site and its scale, the extension would reduce the levels of daylight to

some degree and would create a sense of enclosure, particularly in the area between it and dwelling No 41. However, this footpath does not serve as main access for the occupiers of the neighbouring properties. It only provides an alternative access to their rear gardens. Whilst the outlook from this footpath would change, I am unconvinced on the evidence before me that the development would make the footpath unsafe, thus it would not result in significant harm to the living conditions of the occupiers of properties 41-47.

14. In the light of the above, I conclude that the appeal development would not adversely affect the living conditions of the occupiers of neighbouring properties 41-47 Gregory Street. Consequently, the development would not conflict with Policy 10 of the Aligned Core Strategy or with Policy DE1 of the Local Plan Part 2, with regard to amenity of nearby residents. Nevertheless, this does not negate the harm that the proposal would have on the character and appearance of the street scene.

Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

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

Susan Ashworth

INSPECTOR