



Appeal Decision

Site visit made on 26 May 2020 by Darren Ellis MPlan

Decision by Richard Clegg BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2020

Appeal Ref: APP/N3020/W/19/3244089

Land adjacent 8 Myrtle Road, Carlton, NG4 1RE

- 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 Phill Robinson against the decision of Gedling Borough Council.
 - The application Ref 2019/0175, dated 25 February 2019, was refused by notice dated 4 July 2019.
 - The development proposed is to construct a new dwelling house at plot adjacent to 8 Myrtle Road.
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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.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on the living conditions of the occupiers of the neighbouring properties, with particular regard to outlook and light.

Reasons for the Recommendation

4. The appeal site forms the side garden area of 8 Myrtle Road, which currently houses a detached garage. The site is in a residential area that comprises predominantly of semi-detached properties. Permission is sought for the erection of a detached dwelling.

Character and appearance of the area

5. The site is currently an open area in between two pairs of semi-detached properties, 8 Myrtle Road and 51 Campbell Drive, with No 51 being on a corner plot at the junction between these two roads. The area is strongly characterised by semi-detached properties, and the proposed detached dwelling would be at odds with this character.
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6. The prominence of the proposed development would be increased by the slope of the street, which would result in the proposed dwelling being at a higher level than the existing properties to the east and therefore increasing the visibility of the dwelling. In addition, although the proposed roof would respect the step-down in ridge heights between adjacent properties in the street, the roof would be dissimilar in proportion to the roofs of the surrounding properties and would appear unduly large in relation to the rest of the dwelling.
7. For these reasons set, the proposed dwelling would not reflect the pattern of development or the design of the existing properties and as such would detract from the character and appearance of the area. The proposal would therefore, in this respect, be contrary to Policy 10 of the Aligned Core Strategies (2014) (ACS) and Policies LPD34 and LPD40 of the Local Planning Document (2018) (LPD). These policies all seek in various ways for development to be of a high standard of design that does not adversely affect the area by reason of its scale or form.

Living conditions – neighbours

8. The proposed dwelling would be sited in close proximity to the rear boundary of 51 Campbell Drive and would be at a higher level than No 51. However, the proposed dwelling would not be directly in line with the side and rear windows of No 51, and only a very small section of the proposed dwelling would project beyond the rear garden space of No 51. Consequently, the proposal would not cause a material overbearing impact to the neighbour at No 51. The distance between the proposed dwelling and the other neighbouring properties would prevent any overbearing impact to these properties.
9. The appeal site is situated to the north and west of the neighbouring properties in Campbell Drive. As a result of this orientation, the proposed dwelling would cause no significant overshadowing to No 51, and no overshadowing at all to the other neighbouring properties in Campbell Drive. Furthermore, although the proposed dwelling would be situated to the south of the properties opposite the appeal site, the distance between these properties and the appeal site should prevent any material overshadowing of these properties.
10. I understand the concerns of the neighbours with regards to overlooking. However, a degree of mutual overlooking between the existing properties already exists and there would be a reasonable separation between the proposed dwelling and the neighbouring properties. I therefore consider that the proposal would not cause any material additional overlooking.
11. I therefore conclude that the proposal would not cause any material harm to the living conditions of the occupiers of the neighbouring properties. In this regard the proposal would comply with Policy 10 of the ACS and Policies LPD32 and LPD40 of the LPD which seek, amongst other things, to protect the living conditions of the occupiers of neighbouring properties.

Other Matters

12. The proposal would provide one additional unit of accommodation and therefore the development would, to a limited degree, boost the supply of housing. This is a benefit of the scheme which carries limited weight in support of the proposal.

Conclusion and recommendation

13. The proposal would not cause any material harm to the living conditions of neighbours. However, the benefits that would arise from the proposal would not outweigh the harm that would be caused to the character and appearance of the area. 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

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

Richard Clegg

INSPECTOR