
Appeal Decision

Site visit made on 30 June 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2020

Appeal Ref: APP/W3710/D/19/3244297

6 Lakeside, Bedworth, Warwickshire CV12 8SP

- 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 Scott Carey against the decision of Nuneaton & Bedworth Borough Council.
 - The application Ref 036742, dated 11 October 2019, was refused by notice dated 9 December 2019.
 - The development proposed is first floor extension to side.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor extension to side at 6 Lakeside, Bedworth, Warwickshire CV12 8SP in accordance with the terms of the application, Ref 036742, dated 11 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Site Plan 1:1250, Block Plan 1:500, Existing Elevations and Floor Plans Sheet 1 of 2 Sheets and Proposed Elevations and Floor Plans Sheet 2 of 2 Sheets received 15 October 2019.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of the neighbouring properties at Nos. 8 and 10 Lakeside with particular regard to light and outlook.

Reasons

3. The appeal property at No. 6 Lakeside (No. 6) is a two storey detached dwelling with a single storey rear extension and a pitched roof garage attached at the side. The property is located in a mature well-established residential area, typically characterised by detached and semi-detached properties set back from the road behind a front garden/driveway.

4. The proposal would entail the construction of a first floor side extension above the existing garage set back about 1.0m in line with the first floor front elevation of the host property and stepped down below the ridge of the main house with a dual pitched gabled roof. It would extend out up to the common shared rear boundary with the adjacent detached two storey properties at Nos. 8 and 10 Lakeside (Nos. 8 and 10) immediately to the west of the site, that are set down slightly below No. 6 due to the natural sloping topography of the site and the immediate surroundings.
5. The proposed side extension would be located opposite the linked single storey garages at the side of the adjacent properties and the small enclosed gardens at the rear of Nos. 8 and 10. It would be set back from the nearest windows to the habitable rooms at the rear of the adjacent properties and would be separated by the gardens, a high solid brick boundary wall and the blank wall of the existing garage/single storey rear extension at the side of No. 6.
6. Whilst I accept that there would be some impact from the development, given the overall height and design of the proposed extension, set back and stepped down, together with the boundary treatment, the separation distance between the properties and the orientation of the buildings, I consider that the proposed extension would not result in a significant loss of light to the main habitable rooms and gardens at the rear of Nos. 8 and 10, nor dominate the views to cause an overbearing effect and an unacceptable sense of enclosure at the rear of Nos. 8 and 10.
7. The outlook at the rear of Nos. 8 and 10 is already toward the blank side wall of the existing garage/single storey extension and the first floor gable end at No. 6 and the appeal site would be separated by the existing garden areas and the boundary treatment at the rear of Nos. 8 and 10. As such, I consider the relationship between the proposed extension and the adjacent properties would not be significantly different to the existing situation on the site and would not warrant dismissal of the appeal on these grounds.
8. Consequently, I conclude that the development would not cause significant harm to the living conditions of the occupiers of the neighbouring properties at Nos. 8 and 10 Lakeside with particular regard to light and outlook. It would be consistent with the overall aims of Policy BE3 of the Nuneaton and Bedworth Borough Plan 2019 and the Council's Residential Design Guidelines 2004 (RDG) which I consider to be the relevant policy and guidance in this case. This policy and guidance seek, amongst other things, to ensure that development proposals and residential extensions are of a high quality design that provide acceptable levels of amenity for both existing and future residents. The RDG states that the standards of amenity set out in the guidelines can be used flexibly, depending on the house layout and on site circumstances.

Other Matters

9. I have noted the objections raised by third parties to the proposal. These include the impact on the amenities of local residents, character of the area, design and use of materials, the impact during the construction works on neighbouring properties and property devaluation. However, I have addressed the matters relating to the living conditions of the neighbouring properties in the main issues above. The other matters raised did not form part of the Council's reasons for refusal. Property devaluation is not a material

consideration to which I can attach significant weight in making my decision. I am satisfied that these matters would not result in a level of harm which would justify dismissal of the appeal and can be dealt with by planning conditions where appropriate. In addition, I have considered the appeal entirely on its own merit and, in the light of all the evidence before me, this does not lead me to conclude that these other matters, either individually or cumulatively, would be an over-riding issue warranting dismissal of the appeal.

Conditions

10. Having regard to the National Planning Policy Framework, and in particular paragraph 55, I have considered the conditions suggested by the Council. In addition to the standard time limit condition, I have specified the approved plans as this provides certainty. In order to protect the character and appearance of the area, I have also imposed a condition requiring that the external surfaces of the development match those of the existing property.

Conclusion

11. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR