



Appeal Decision

Site visit made on 7 July 2020

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04/08/2020

Appeal Ref: APP/P3040/D/20/3249990

No 4 Dickson Drive, Ruddington NG11 6GT

- 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 Hayton against the decision of Rushcliffe Borough Council.
 - The application Ref 19/02551/FUL, dated 31 October 2019, was refused by notice dated 6 January 2020.
 - The development proposed is a two storey side extension and single storey office/games room.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the:
 - character and appearance of the area
 - living conditions of nearby residents with particular regard to outlook and privacy

Reasons

Character and appearance

3. The appeal site is a two-storey semi-detached dwelling at the end of a cul-de-sac. It is adjacent to a footpath and a large area of open space. The dwellings in the area are finished in similar materials with spaces between buildings. Overall, the area has a relatively uniform yet spacious, character and appearance.
4. The council's concerns relate only to the proposed single storey office/games room. Tucked in behind the appeal dwelling, the proposed two-storey extension would have no significant impact on the character and appearance of the area. I will therefore focus my attention on the single storey office/games room.
5. The proposed single storey extension would be of some length, projecting a significant distance from the main front elevation filling the space between the dwelling and the boundary. It would be finished in timber cladding with a large flat roof and a window much wider and taller than those of the appeal dwelling and others nearby. Through its scale, form and finish the proposed extension

would dominate and conflict with the front elevation of the appeal dwelling. Visible from the head of the close and dwellings nearby it would therefore be an incongruous feature of the street scene at odds with and harming, the relatively uniform and spacious character and appearance of the area.

6. Thus, with regard to character and appearance the proposed single storey office/games room would conflict with the good design aims of Policy 10 of the Local Plan Part 1: Rushcliffe Core Strategy (2014) (LPP1) or Policy 1 of the Local Plan Part 2: Land and Planning Policies (2019) (LPP2).

Living conditions

7. Views of the proposed extensions from No 3 Dickson Close (No 3) would be from an oblique angle. There would be a reasonable separation distance between the proposal and the front elevation windows of both No 3 and No 5 Dickson Close (No 5).
8. The appeal plot is a reasonable size, such that even with the proposed extensions in place there would be sufficient space for off-street parking to meet the needs of the appeal dwelling as well as retaining ample domestic garden.
9. The proposal may mean that vehicles would be more likely to be parked closer to the main front elevation of No 3. However, there is no substantive evidence before me which leads me to believe that this could not occur irrespective of the proposals. Even so, there would still be a reasonable separation distance between the windows of No 3 and any such vehicles. Furthermore, the appellant would be willing to limit overlooking by alternative windows which could be obscured. If I was minded to grant permission, this could be controlled by condition.
10. Thus, for the reasons given, I find no harm to the living conditions of the occupiers of No 3 or No 5 with particular regard to outlook or privacy. In this regard, subject to conditions the proposals would accord with the good design aims of Policy 10 of LPP1 and Policy 1 of LPP2.

Other Matters

11. I note the appeal site is in a location where services and employment can be easily accessed. I note the proposals would meet the needs of a growing family. I also note the appellant's willingness to amend the proposal, however, I must make my decision on the scheme before me.

Conclusion

12. Even though I have found no harm to nearby residents living conditions, I have found harm to the character and appearance of the area and conflict with the development plan in this regard. This is the prevailing factor and thus, on balance, having had regard to all other matters raised the appeal is dismissed.

L Fleming

INSPECTOR