



Appeal Decision

Site visit made on 18 August 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: 21 September 2020

Appeal Ref: APP/Q3060/D/20/3255573

9 Grace Drive, Nottingham NG8 5AG

- 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 Sharif Samadi against the decision of Nottingham City Council.
 - The application Ref 20/00794/PFUL3 (PP-08654556), dated 15 April 2020, was refused by notice dated 2 June 2020.
 - The development proposed is a 2 storey side extension over existing playroom.
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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 host dwelling and the streetscene;
 - The living conditions of the occupiers of neighbouring properties, with particular regard to privacy, daylight, sunlight and outlook.

Reasons for the Recommendation

Character and appearance

4. The appeal relates to a detached, two-storey dwelling located on the western side of Grace Drive, within a residential area. The properties located on Grace Drive, within proximity of the appeal site, including the appeal dwelling, are set back from road, and have single storey elements to the side, most of them serving as garages. The open space above the single storey elements provides a degree of openness between the properties and prevents the buildings appearing cramped on their plots. In addition, the siting of the properties in relation to the road and the gaps between them provide a simple and pleasing rhythm to the Drive and thereby the character of the street scene.
 5. The proposal seeks to introduce a first-floor extension to the side, above the existing single storey element. The extension would project along the full depth
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of the two storey dwelling and its roof would be in line with that of the original dwelling; thus, the existing roof would be extended across the full width of the existing single storey element.

6. The extension, due to its height, width and depth, would add significant mass and bulk to the side of the host dwelling. As a result, it would alter the proportions of the host dwelling and affect the rhythm of properties along the Drive. Whilst I acknowledge that the site lies at the end of the row of properties, and that the gardens of properties fronting Oval Gardens would continue to provide a degree of openness to the street scene, as a result of the limited distance between the property and its boundary, the increased massing of the building would result in a development that appeared cramped on its plot. Consequently, the development would appear incongruous and out of keeping with the character and appearance of the host dwelling and the street scene.
7. Accordingly, I conclude that the proposal would be detrimental to the character and appearance of the host property and of the street scene. Therefore, the development would be contrary to the objectives of Policy 10 of the Aligned Core Strategies Part 1 Local Plan (ACS) and Policy DE1 of the Development Plan Document Local Plan Part 2 (DPD), which together require, amongst other things, that development respects and enhances the streetscape, and in particular its established scale, massing and rhythm.

Living conditions

8. The extension would project along the southern side boundary of the appeal site, which is shared with neighbouring properties located on Oval Gardens. Given the siting of the appeal dwelling in relation to properties located on Oval Gardens, there would only be a small gap between the extension and the rear gardens of properties Nos 4 and 6 Oval Gardens.
9. Due to the scale of the extension and its close proximity to the rear gardens of the neighbouring properties, the appeal dwelling would appear considerably more substantial and thereby more dominant, particularly when viewed from the rear gardens of the neighbouring properties. Whilst the outlook of the occupiers of the neighbouring properties currently includes the blank side elevation of the appeal dwelling, there is a greater gap between the first floor of the dwelling and the rear gardens of the neighbouring properties. When combined with the overall height of the extension and the blank elevation presented, this would make for an oppressive outlook, with consequent harm to the living conditions to the occupiers of Nos 4 and 6 Oval Gardens.
10. The appeal property is located to the north of the neighbouring properties, thus the impact on the living conditions of the occupiers of Nos 4 and 6 Oval Gardens with regard to sunlight and daylight would be limited.
11. The extension would have openings only the in front and rear elevations, thus the views would be directed towards the street and the rear garden of the appeal site. Therefore, the proposal would not affect the privacy of the occupiers of the neighbouring properties to a detrimental degree.
12. In light of the above, I conclude that the appeal development would adversely affect the living conditions of the occupiers of Nos 4 and 6 Oval Gardens in terms of outlook. Consequently, the development would be contrary to Policy

10 of the ACS and Policy DE1 of the DPD, which require, amongst other things, that developments safeguard the residential amenity of the nearby residents.

Other matter

13. I acknowledge the benefits that the proposal would bring to the appellant in terms of enhanced living accommodation. However, these private benefits do not outweigh the harm that I have identified to the character and appearance of the area and the living conditions of the neighbouring residents.

Recommendation

14. 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

15. 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