



Appeal Decision

Site visit made on 9 November 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2020

Appeal Ref: APP/J3015/D/20/3258470
10 Wimpole Road, Beeston NG9 3LQ

- 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 K Lleshi against the decision of Broxtowe Borough Council.
 - The application Ref 20/00255/FUL, dated 10 April 2020, was refused by notice dated 24 July 2020.
 - The development proposed is a single storey rear extension and lower rear garden level.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and lower rear garden level at 10 Wimpole Road, Beeston NG9 3LQ in accordance with the terms of the application, Ref 20/00255/FUL, dated 10 April 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: NG93LQ-amc-03-xx-dr-A-0001, NG93LQ-amc-03-xx-dr-A-0026A, NG93LQ-amc-03-xx-dr-A-0027A and NG93LQ-amc-03-xx-dr-A-0028.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Procedural Matter

2. The level of the rear garden area has already been reduced and a retaining wall installed. I have assessed the proposal on that basis.

Main Issues

3. The main issues are the impact of the proposed development upon (i) the character and appearance of the area and (ii) the living conditions of the occupiers of the adjacent dwellings and the future occupiers of the appeal dwelling.

Reasons

Character and appearance

4. The proposed rear extension would have a large footprint but it would be designed to be sympathetic to the character and appearance of the existing dwelling, incorporating matching materials and a pitched roof. Due to its

position predominantly to the rear of the dwelling and its single storey height, it would not cause harm to the character and appearance of the surrounding area when viewed from the public domain. The appeal dwelling is set back from the Wimpole Road frontage and an amply sized area of rear garden would remain, thus ensuring that the proposal would not appear as an overdevelopment of the plot.

5. I therefore conclude that there would not be harm to the character and appearance of the area as a result of the proposed development, and therefore no conflict with Policy 10 of the Aligned Core Strategy 2014 (ACS) or Policy 17 of the Part 2 Local Plan 2019 (LP), where they seek to safeguard character and appearance.

Living conditions

6. The roof of the proposed extension would pitch away from the common boundaries with both 8 and 12 Wimpole Road. The attached dwelling, No 12, has a single storey rear extension and the proposal would not project significantly beyond this. The dwellings to the rear boundary and to part of the side boundary are situated on a higher ground level.
7. By virtue of its single storey height, its roof design, the existing boundary treatments and ground levels, and the extension to No 12, the proposal would not cause harm to the living conditions of the occupiers of adjacent dwellings by reason of its scale, massing or positioning.
8. I have not been directed to any standards for the provision of outdoor amenity space that the Council considers should be met in this instance. However, whilst the rear garden area would be reduced in size, it has been levelled to make it an easily useable space. It would provide an appropriately sized area to allow for day to day activities such as sitting out and drying clothes. Overall, the space that is proposed would not result in an unacceptable living environment for the occupiers of the appeal dwelling.
9. For these reasons I conclude that the proposal would not harm the living conditions of the occupiers of the adjacent dwellings and that it would provide an appropriate amount of outside amenity space for the future occupiers of the appeal dwelling. Therefore, there would be no conflict with Policy 10 of the ACS and Policy 17 of the LP where they seek to protect living conditions.

Conditions

10. As development has already commenced, it is not necessary to impose a condition relating to commencement. A condition relating to the approved plans is however required to provide certainty and a condition relating to external facing materials is necessary to ensure that the proposed development has a satisfactory visual appearance.

Conclusion

11. For the reasons given above, I conclude that the appeal should, subject to conditions, be allowed.

Graham Wraight

INSPECTOR