

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: 19 November 2020

Appeal Ref: APP/Q3060/D/20/3257053

28 Tranby Gardens, Nottingham NG8 2AB

- 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 D Goddard against the decision of City of Nottingham Council.
 - The application Ref 20/00290/PFUL3, dated 10 February 2020, was refused by notice dated 13 May 2020.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The dwelling has already been extended to the rear at first floor level, but it has a flat roof. The plans submitted show that a pitched roof would be added to the built development and I have considered the appeal on that basis.

Main Issues

3. The main issues are the effect of the development upon (i) the character and appearance of the host dwelling and the surrounding area and (ii) the living conditions of the occupiers of the adjacent dwellings.

Reasons

Character and appearance

4. The bricks that have been used in the construction of the first floor rear extension contrast sharply in their colouration with those of both the original dwelling and the previous single storey rear extension. This creates a visually jarring impact and a poor visual appearance which causes significant harm to both the character and appearance of the dwelling itself and of the surrounding area, in particular when viewed from within the turning head at the end of Tranby Gardens.
5. The appellant has indicated a willingness to apply a tint to the bricks to attempt to address the difference in colouration. However, on the basis of the information that has been provided, I cannot be certain that the tinting of the bricks would be effective and would adequately remedy the current harm that arises from their severe contrast with the other bricks on the dwelling. Therefore, I cannot be sure that allowing the appeal subject to a condition that the bricks are to be tinted would ultimately result in a development that would rectify the harm to character and appearance that I have identified.

6. The existing flat roof is visible from the rear gardens of adjacent dwellings and again it is most prominent in the public domain when viewed from the turning head at the end of Tranby Gardens. It too jars with the pitched roof of the original dwelling and has a poor visual relationship to it, causing significant harm to both the character and appearance of the host dwelling and the surrounding area.
7. The proposal to add a pitched roof is necessary to eliminate the harmful impact that the development as constructed has had. Whilst it would increase the massing of the extension, it would be entirely proportionate with the massing and general design of the original dwelling and the other dwellings in the vicinity. Therefore, there would be a clear visual benefit arising from the addition of the proposed pitched roof.
8. The appellant has provided examples of instances where materials used on extensions have not represented a good match with the original dwelling. However, that there are other examples elsewhere does not justify a harmful development.
9. My attention has also been drawn to the presence of other flat roofs in the locality, including on Tranby Gardens, and some which have recently obtained planning permission. However, there are only a limited number of examples of flat roofs in the area closest to the appeal dwelling and they do not form the prevailing character of the area, which is dwellings with pitched roofs. This consideration therefore also does not justify the use of a flat roof and the harm that has arisen.
10. In conclusion, whilst the pitched roof would be a necessary and beneficial addition, I cannot be certain on the basis of the information that is before me that the tinting of the bricks would remedy the significant harm that arises to the character and appearance of the host dwelling and the surrounding area. Therefore, for this reason alone, the development fails to accord with Policy 10 of the Aligned Core Strategies 2014 (ACS) and Policy DE1 of the Land and Planning Policies Development Plan Document 2020 (DPD), where they seek to protect character and appearance.

Living conditions

11. The proposed pitched roof would hip away from the common boundary with both 26 and 30 Tranby Gardens and from the rear boundary, and it would have a relatively shallow pitch. The increased massing resulting from the proposed roof would have a negligible impact compared to the impact of the first floor extension itself, and it would not result in harm to the living conditions of the occupiers of the nearest dwellings. I therefore conclude that there would be no conflict with Policy 10 of the ACS and Policy DE1 of the DPD where they seek to safeguard living conditions.

Conclusion

12. Although I have not found harm to living conditions, I have found significant harm to the character and appearance of the area and subsequent conflict with the development plan. I therefore conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR