



Appeal Decision

Site visit made on 24 November 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020

Appeal Ref: APP/B3030/W/20/3252961

9 The Paddocks, Newark on Trent NG24 1SS

- 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 M Moulds against the decision of Newark & Sherwood District Council.
 - The application Ref 19/02093/FUL, dated 25 November 2019, was refused by notice dated 5 March 2020.
 - The development proposed is part conversion of 9 The Paddocks to create an additional chalet bungalow within the site.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. Paddock Close is a residential cul-de-sac laid out in a spacious manner with detached dwellings set back from the road in open plots without hard boundary treatments. The built form mainly comprises two storey detached dwellings and detached chalet bungalows, which are laid out in consistent rows that give the street scene a strong rhythm and uniformity. This contributes positively to its suburban character and appearance. Where extensions have taken place, these have not been significant in scale and have largely maintained the consistency of the original designs.
4. The appeal site is a chalet bungalow standing on a corner plot with both its front and side elevations facing the main estate road, and forming one of a row of five similar chalet bungalows. Due to the open layout of the cul-de-sac, the site is prominent in views from both ends, and from a wide number of dwellings on both sides of the road.
5. It is proposed to replace a single storey garage to the side of the dwelling with a one-and-a-half storey side extension. The internal layout would be reconfigured to create two residential units, a one-bedroom maisonette within the existing dwelling and a two-bedroom dwelling mainly within the extension.
6. The proposal would be a substantial alteration to the dwelling. It would effectively double its width and add significant massing which would comprehensively change its scale and form, such that it would no longer

resemble the consistent chalet bungalows which characterise the street scene, notwithstanding the proposed use of matching materials.

7. The proposal would introduce a convoluted roof structure, involving a second pitched roof parallel to, but shorter in length than, the existing roof, with a flat roof section towards the rear, an infill section between the main pitches, a smaller pitched roof above a replacement garage and a large dormer window running the full length of the existing roof on the north-western side. The appellant argues that the dormer window would be permitted development (PD), although I have no evidence to confirm this or which indicates this is a likely alternative which would be pursued by the appellant. Even if it were PD, I must consider the visual impact of the whole structure, and I find that the overall shape of the roof would be wholly at odds with the simple, tall pitched roofs of surrounding chalet bungalows and would appear as a highly incongruous interruption to the rhythm of the street scene.
8. At present, the side wall of the garage to the dwelling aligns with the main front elevations of Nos 1-7 which stand to the rear of the appeal site, with only the shallow single storey protrusions of their garages extending beyond this consistent building line. The proposal would extend the side elevation some 2.4 metres beyond the building line of the garages. In this forward position, the aberrant massing and form of the building would stand out conspicuously in views from the entrance to The Paddocks and from the many dwellings which face the site. The loss of consistency in the scale and rhythm of the row of chalet bungalows from Nos 9-17 would also be obvious in views in both directions along the cul-de-sac.
9. The appellant refers to a lack of consideration having been given to the design of the existing side elevation of what is a dual-frontage property, lamenting it as a 'missed opportunity'. The side elevation is simple in design, but it still includes the main front door and in carrying through the chalet design of the estate, I do not regard it as a particularly negative feature. The proposed side elevation would include two extra windows and a re-orientated garage, which is no more than a modest enhancement to the elevation and one which is significantly outweighed by the harmful scale and form of the overall structure which fails to have regard to the prevailing pattern and style of its surroundings.
10. Moreover, whilst I acknowledge the existing side garden area offers limited utility as a space for recreation, it does contribute to the open, spacious verges to either side of the road and is a positive aspect of the site which would be harmfully eroded by the proposal.
11. Whilst I have reached these conclusions on the merits of the proposal, I note my findings are consistent with those of my colleague Inspector, in a dismissed appeal decision for a similar scheme from July 2019¹, who found harm in respect of the scale and bulk of the extensions, noting they would appear incongruous and unbalanced. Indeed, it appears the proposal before me is even taller and bulkier than the previous scheme, given the inclusion of the second gable to the front elevation.
12. For these reasons, I conclude that the proposal would significantly harm the character and appearance of the area. Consequently, there would be conflict

¹ Appeal Ref: APP/B3030/W/19/3226677

with Core Policy 9 of the Local Development Framework Amended Core Strategy DPD (March 2019) and Policy DM5 of the Allocations and Development Management DPD (July 2013) which expect proposals to achieve a high standard of sustainable design and layout, a form and scale appropriate to its context which complements the existing built environment. The proposal would also conflict with the key aim of the National Planning Policy Framework to achieve high quality buildings and places through good design.

Other Matters

13. The appellant has submitted evidence that the additional living space is required to accommodate both the appellant and his wife in their later years and a family member with specific health needs. I have had regard to the evidence submitted in this respect and I do not dispute the personal circumstances put to me. However, the evidence indicates the appellant is not resident at the appeal dwelling at present, which reduces the weight to be given to the argument that this specific property must be adapted. I also have no evidence as to the extent to which other properties have been considered by the appellant, or whether the appellant's present larger property could be adapted as desired. Therefore, whilst I accept that the proposal would be advantageous to addressing the appellant's personal circumstances, it has not been demonstrated that the proposal is essential to meeting them. Accordingly, I afford no more than limited weight to this matter.
14. The provision of an additional dwelling to the housing stock, and the temporary economic benefits from construction of the extension, would also attract limited weight in the proposal's favour.
15. The Council did not refuse permission in respect of housing mix, neighbours' living conditions, highway safety or trees. I note the objections raised by interested parties in respect of matters including possible effects on privacy and sunlight, parking and visibility for drivers. I viewed the relative locations of neighbouring windows and gardens, and the proposed accesses and visibility around the corner; however, from all I have seen and read, I am not led to any additional findings of harm to be weighed in the planning balance. Whilst noting reference to restrictive covenants on the land, this is not relevant to my decision, which is based solely on the planning merits of the proposal.

Conclusion

16. The proposal would cause significant harm to the character and appearance of the area, resulting in conflict with the development plan to which I afford significant weight. In my overall judgement, the identified benefits of the proposal, taken together, would not amount to material considerations which would outweigh the development plan conflict, and would not justify a decision being made other than in accordance with the development plan, taken as a whole.
17. The appeal is therefore dismissed.

K Savage

INSPECTOR