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## Appeal Decision

Site visit made on 25 May 2021

**by Diane Cragg DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 02 June 2021**

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**Appeal Ref: APP/P3040/D/21/3268537**  
**14 Wilford Crescent, Ruddington NG11 6EZ**

- 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 and Mrs Bye against the decision of Rushcliffe Borough Council.
  - The application Ref 20/02719/FUL, dated 2 November 2020, was refused by notice dated 22 December 2020.
  - The development proposed is single storey rear extension to create an additional bedroom and living accommodation on the ground floor.
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### Decision

1. The appeal is dismissed

### Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of No 13 Wilford Crescent.

### Reasons

3. The appeal property is a two-storey end of terrace dwelling in a block of four terraced properties within a residential area. It is located at the head of a cul-de-sac and has a large garden compared to neighbouring properties. A contemporary largely flat roofed extension has been added at the rear. The garden has a number of outbuildings within it including a shed and pergola next to the joint boundary with No 13 Wilford Crescent. No 13 is a mid-terraced property with relatively long narrow garden. It has been extended to the rear to the approximate depth of the existing rear extension at the appeal site and has a flat roofed structure adjacent to the extension next to the boundary.
4. The proposed single storey rear extension would be 3.2 metres high and would project approximately 10 metres from the existing kitchen extension 1.2 metres from the joint boundary. Planning permission has been granted for a similar extension sited 1.8 metres from the joint boundary<sup>1</sup>.
5. There are no windows adjacent to the boundary looking down the garden from No 13 that would be affected by the single storey extension and the extension would not directly impact on the outlook from the house. I note the cross section submitted by the appellant which shows a conifer hedge which enclosed a short section of the boundary. I also note the approved siting of the

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<sup>1</sup> Local authority reference 20/00919/FUL

extension shown. I observed during my site visit that the conifer hedging had been removed. The other structures close to the boundary are marginally higher than the fenced boundary and are not significant features in the neighbour's garden. The proposal would extend almost the full length of the joint boundary and the flat roof design with parapet would result in a substantial block of development with an overall height that would be a considerable margin above the height of the joint boundary fence and existing outbuildings.

6. The location of the extension would be 0.6 of a metre closer to the boundary compared to the approved scheme. The closer proximity of the extension to the boundary would, because of the combined factors of the extension's height, its projection along the boundary, its design and its massing, noticeably increase the dominance of the structure from the neighbouring garden. The extension at 1.2 metres from the boundary, would be overbearing on the neighbouring garden, it would dominate the garden space and would be detrimental to the living conditions of the residential occupiers of No 13 when using their garden.
7. Therefore, even when taking into account the approved development, the proposed extension would harm the living conditions of No 13 Wilford Crescent and would conflict with Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 of the Local Plan Part 2: Land and Planning Policies which seek to protect the residential amenity of adjoining properties. It would also conflict with the National Planning Policy Framework where it seeks to create places with a high standard of amenity for existing users.

### **Other Matters**

8. Whilst there have been no objections from the occupiers of No 13, this in itself does not mean that the scheme is acceptable and does not absolve me from making an assessment of the effects of the development in respect of the main issue.

### **Conclusion**

9. For the reasons given above, the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict. Therefore, the appeal is dismissed.

*Diane Cragg*

INSPECTOR