



Appeal Decision

Site visit made on 4 May 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 July 2021

Appeal Ref: APP/N3020/D/21/3270026

17 Greaves Close, Arnold, NG5 6RS

- 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 Scott Brittle against the decision of Gedling Borough Council.
 - The application Ref 2020/1287, dated 20 December 2020, was refused by notice dated 1 March 2021.
 - The development proposed is described as 'Rear and side extension to existing house. Internal amendments. Demolition of existing garage'.
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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 area the effect of the development on the character and appearance of the dwelling and the surrounding area and on the living conditions of the occupiers of the neighbouring properties, with particular regard to privacy and light.

Reasons for the Recommendation

Character and appearance

4. The appeal property is a semi-detached dormer bungalow with a detached garage. The properties in Greaves Close are a mix of semi-detached 'chalet' style dwellings with dormer windows in the front and rear roofslope, built to the same design as the appeal property, and two-storey dwellings which are built to a similar design to each other. The uniformity in the design and appearance of the properties defines the character of the area and creates a coherent street scene.
 5. The proposed side extension would match the design and materials of the existing dwelling. However, the proposal would also include an extension of the flat-roof rear dormer, which would see it project further to the rear. Due to the position of the dwelling at the end of the run of properties, this enlarged flat-roof dormer would be visible from the end of the street. While flat roof dormers to the front elevations are common in the street, the rear dormers are largely
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hidden from public view by the layout of the properties. In addition, the scale of the dormer windows is generally modest, in line with the original design whereby the structures are set well within the steeply pitched roof. In this case, the rear dormer would be conspicuous and would be of a considerably larger scale than the existing front dormers. The result would be a somewhat bulky and box like structure which would be at odds with the original design of the property and surrounding dwellings where steeply pitched roofs and modest dormers are a particular feature. As such the proposal would not respond well to its context and would detract from the character and appearance of the appeal property and the street scene.

6. For these reasons, the proposal would conflict with Policy LPD43 of the Local Planning Document Part 2 Local Plan (July 2018) (LPD) and Policy 10 of the Aligned Core Strategies Part 1 Local Plan (September 2014), which both seek to ensure that developments are well designed and are in keeping with the surrounding character.

Living conditions of the occupiers of the neighbouring properties

7. Due to the irregular shape of the plot, the proposed two-storey side extension would be only a short distance from the rear boundary of the existing dwelling. Furthermore, the existing rear dormer would be extended to the rear above the existing single-storey extension and as such the first-floor rear element of the dwelling would be closer to the rear boundary than the existing property. The properties to the rear, Nos 389 and 391 Gedling Road, have modestly sized gardens and consequently, given the scale of the extensions and the close proximity to the rear boundary, the proposal would have an overbearing impact that would detract from the enjoyment and thereby the living conditions of the neighbouring occupiers.
8. The proposed side extension would also be closer to the boundary with No 387 Gedling Road. However, No 387 has a longer garden than its neighbours and the proposed extension would be close to the rear-most part of the garden. The proposed extension would be set away from the boundary and therefore the proposal would not cause any significant overbearing impact to the occupiers of No 387.
9. The proposal would result in side and rear first-floor windows being in close proximity to the boundaries of Nos 387, 389 and 391 Gedling Road. The existing rear windows, which serve a bedroom and a bathroom, do allow a degree of overlooking of the properties to the rear. The proposal would see the existing first-floor rear windows moved closer to the boundary, an additional first-floor rear window that would serve another bathroom, and a first-floor side window of considerable width that would serve a bedroom. As a result of the smaller distance between the windows and the boundaries, the presence of the proposed bedroom windows would exacerbate the overlooking of the neighbouring properties. Due to the short separation distances, even this modest projection closer to the boundary would significantly increase the degree of overlooking.
10. Although not shown on the submitted drawings, bathroom windows are typically obscure-glazed to provide privacy for the users of the bathroom. However, even if the bathroom windows are obscure-glazed, the plans show that the windows would be openable, and as such would cause increased overlooking of the neighbouring properties when the windows are opened.

11. The appellant suggests that a condition could be included that requires these windows to be obscure-glazed to prevent overlooking of the neighbouring properties. To fully ensure privacy, these windows would also need to be non-opening. While this may be acceptable for the bathroom windows and the side window to the new bedroom, one of the proposed rear windows would be the sole window serving a bedroom. This window would usually provide an outlook from the bedroom, and therefore it would therefore not be reasonable suitable to condition this window to be obscure-glazed due to the poor internal living conditions this would provide. Consequently, a condition requiring the windows to be obscure-glazed would not fully mitigate the overlooking that would be caused to the neighbouring properties.
12. For these reasons, the proposal would cause harm to the living conditions of the occupiers of Nos 387, 389 and 391 Gedling Road. Consequently, the proposal would conflict with Policies LPD32 and LPD43 of the LPD, which both seek to ensure that developments do not cause a significantly adverse effect on the living conditions of nearby residents or occupiers, including by way of overbearing and overlooking.

Conclusion

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR