



Appeal Decision

Site visit made on 24 May 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 July 2021

Appeal Ref: APP/P3040/D/21/3270439

36 Boundary Road, West Bridgford, Nottingham, NG2 7BZ

- 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 Harbottle against the decision of Rushcliffe Borough Council.
 - The application Ref 20/00489/FUL, dated 18 December 2019, was refused by notice dated 15 December 2020.
 - The development proposed is described as First floor extensions including raising of roof height, balcony to rear, conservatory, internal alterations, replacement grey windows and render brickwork, and raised decking to rear.
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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 are the effect of the development on the character and appearance of the area, and the effect of the development on the living conditions of occupiers of No 34 Boundary Road with particular regard to light and visual impact.

Reasons for the Recommendation

Character and appearance

4. The appeal property comprises a bungalow with accommodation in the roofspace, set in a generous plot. The street has a mix of bungalows and two-storey detached properties, constructed with a variety of designs and materials, however the properties on either side of the appeal site are also bungalows with No 34 also having accommodation in the roofspace. The street slopes down from west to east, with the ridge heights of the dwellings generally following the slope of the street.
 5. The appeal property appears to have benefitted from substantial previous extensions at roof level and to the ground floor. Those extensions have significantly altered the original character but the hipped roof profile remains evident such that the roof profile tapers down towards the boundary at each
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- side. That provides a degree of consistency in design terms with the neighbouring dormer bungalows and creates a sense of separation at roof level which is consistent with the general pattern of detached dwellings set within their own plots.
6. The proposal would see the bungalow extended upwards to provide additional accommodation in the roofspace. A previous scheme to extend the bungalow and increase the roof height was dismissed at appeal in 2019¹, on the grounds that the massing, scale and proportions of the development would have a harmful effect on the character and appearance of the area, and that the proposal would not retain a suitable level of outlook for the occupiers of No 34.
 7. The eaves level would remain unchanged from the existing levels and would be lower than the eaves levels in the previous scheme. However, the ridge would be considerably higher, causing the building to appear top-heavy, and would exceed the height of the adjacent bungalows. Furthermore, the proposed side dormers would add considerable bulk to the roof of the bungalow when viewed from the front. As such the resulting building would not reflect the hipped roof form and massing of its immediate neighbours, as described above. The additional bulk of the side dormers would also diminish the sense of separation between respective properties resulting in a somewhat cramped appearance that would not reflect the general pattern of development in the area. Moreover, the proposal would not respect the slope of the street and the step-down in ridge heights between adjacent properties. Consequently, the proposal would be discordant with the street scene and would detract from the character and appearance of the property and the surrounding area.
 8. The appellant refers to page 33 of the Rushcliffe Residential Design Guide Supplementary Planning Document (March 2009) (SPD) which states, 'In seeking high quality design solutions, innovative approaches will be encouraged where these show respect for and an understanding of context and will positively contribute to the character and identity of an area.' However, for the reasons above the proposal would not positively contribute to the character of the area and would not respect the existing context.
 9. For these reasons, the proposal would conflict with Policy 10 of the of the Rushcliffe Local Plan Part 1: Core Strategy (December 2014) (CS) and Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (October 2019) (LAPP). These policies both seek to ensure that development is sympathetic to the character and appearance of the area and is appropriate in terms of massing and scale.

Living conditions of the occupiers of No 34

10. The neighbouring property at No 34 is at a lower level than the appeal property. Directly facing the appeal property at the point where the roof would be raised is a clear-glazed set of French doors that lead to a paved courtyard area of the garden at No 34. Whilst I note that the proposal differs from the previous scheme as the eaves level remains unchanged and the roof ridge is further from the side boundary in an attempt to lessen its bulk, the increased ridge height and addition of a side dormer, together with the difference in land levels, would result in the proposal appearing as a dominant structure, particularly when viewed from the courtyard and French windows at No 34.

¹ Planning application ref: 19/00142/FUL; Appeal Ref: APP/P3040/D/19/3232006

11. Due to the orientation of the properties along Boundary Road, the majority of the sunlight received by the lounge at No 34 comes from the French doors, which face west, with a lesser amount from the other lounge window which faces north/north-west. As is illustrated by the analyses provided by the appellant and the neighbour at No 34, the proposal would cause additional overshadowing of the courtyard area and the French windows, which in turn would significantly reduce the amount of sunlight that enters the lounge at No 34.
12. Overall, the proposal would have an overbearing impact and would cause additional overshadowing that would detract from the enjoyment and thereby the living conditions of the neighbouring occupiers.
13. At the first-floor level there is an obscure glazed window that serves a landing and a separate high-level obscure-glazed window. However, these windows, being obscure-glazed and not serving habitable rooms, would not suffer from an unreasonable overbearing impact or reduction in light.
14. Consequently, the proposal would cause material harm to the living conditions of the occupiers of No 34 Boundary Road. Therefore, the proposal would not accord with Policy 10 of the CS and Policy 1 of the LAPP. These policies require development to not cause any significant adverse effect on the living conditions of the occupiers of adjacent properties.

Other Matters

15. My attention has been drawn to other examples of extensions in the surrounding area. The extension at No 34 Boundary Road respects the change in land levels and does not have a roof form or scale that is comparable to the proposal before me. Furthermore, it appears that the extension does not have a significant impact on the neighbouring property at No 32 as a result of a rear extension at No 32 adjacent to the boundary with No 34.
16. Full details of the other examples have not been provided, although from the photographs provided none of the examples appear to have the same design characteristics as the appeal proposal. Therefore, I cannot be certain that the circumstances and context of these examples are comparable to the proposal before me. Furthermore, even if the design of the scheme was considered to be comparable to other examples, this would not mitigate the harm that would be caused to the neighbouring property as identified above. There are often instances of historical development that may not meet modern design standards and the presence of other examples does not dictate that further harm to the character and appearance of an area or neighbouring amenity is acceptable.

Conclusion

17. 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

17. 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