



---

## Appeal Decision

Site visit made on 24 May 2021 by Darren Ellis MPlan

**Decision by R C Kirby BA (Hons) DipTP MRTPI**

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

**Decision date: 9 July 2021**

---

**Appeal Ref: APP/B3030/D/21/3269216**

**42 Hawton Road, Newark On Trent, NG24 4QB**

- 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 Miss Georgia Braithwaite against the decision of Newark & Sherwood District Council.
  - The application Ref 20/02412/HOUSE, dated 30 November 2020, was refused by notice dated 11 February 2021.
  - The development proposed is a two storey rear extension and garage conversion.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a two storey rear extension and garage conversion at 42 Hawton Road, Newark On Trent, NG24 4QB in accordance with the terms of the application ref: 20/02412/HOUSE, dated 30 November 2020 and subject to the following conditions:
  - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan Unique plan reference #00579064-E7D229; Block Plan Unique plan reference #00579063-E21EBB; Proposed Ground Floor drawing no. SP-2020-1001-01; Proposed First Floor drawing no. SP-2020-1001-02; and Proposed Elevations drawing no. SP-2020-1001-04.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those described on the Proposed Elevations and the planning application form.

### 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.

### Procedural Matters

3. On the planning application form, the proposal is described as 'Proposed two storey extension over existing garage, garage conversion and rear single storey extension.' However, the proposed two-storey extension would be to the rear of the property and not above the existing garage. For the purposes of this appeal I have therefore used the description of development shown on the decision notice and appeal form, which accurately reflects the proposal.
-

## **Main Issue**

4. The main issue is the effect of the proposed rear extension on the living conditions of the occupiers of the No 44 Hawton Road, with particular regard to light and visual impact.

## **Reasons for the Recommendation**

5. The appeal site comprises a detached two-storey dwelling in Hawton Road. At the time of my site visit, a single-storey rear extension was under construction to replace a conservatory. The single-storey extension spans the width of the main house, and the proposal would see a first floor constructed above this extension. The first-floor element would be set back slightly from the rear elevation of the single-storey extension and would carry on the existing hipped roof form of the main house.
6. The neighbouring property at No 44 is a two-storey detached dwelling, with a single-storey rear extension adjacent to the boundary with the appeal property. Owing to the projection of this extension, it would not be adversely affected by the proposed two-storey extension. There is a first-floor bedroom window in the rear elevation of No 44 close to the boundary with the appeal property.
7. The proposed rear extension would project close to the shared boundary with No 44 and would extend beyond the two-storey rear elevation of this property. It would be visible from the first floor bedroom window, however due to the position of this window relative to the proposed extension and its open outlook down the rear garden of No 44, I am satisfied that it would not be overbearing in the outlook from this window and would be unlikely to make this room less pleasant to use as a result.
8. The host property is located in a northerly direction to No 44. Although its position would breach the 45-degree line, when drawn from the nearest first-floor bedroom window at No 44, the breach would be slight. It would be unlikely to reduce the amount of light entering this largely west facing bedroom window due to the orientation of the proposed extension to the rear of No 44 and given its hipped roof design.
9. Therefore, for the reasons given above, I conclude that the proposal would not cause harm to the living conditions of the occupiers of the neighbouring property at No 44 Hawton Road. Consequently, the proposal accords with policies DM5 and DM6 of the Allocations & Development Management Development Plan Document (July 2013) which both seek, amongst other things, to protect the living conditions of the occupiers of neighbouring properties and for development to not cause any overbearing impact to neighbouring properties. The proposal would also comply with the aims of the Householder Development Supplementary Planning Document (November 2014) which seeks to ensure that development should be designed in a way that does not cause an unacceptable overbearing impact to neighbouring properties.

## **Conditions**

10. In order to provide certainty and in the interests of proper planning it is necessary to impose the standard time limit and specify the approved plans. In

the interests of the character and appearance of the area a condition specifying that materials used match the submitted details is also necessary.

**Conclusion**

11. For the reasons given above and having had regard to all other matters raised, I therefore recommend that the appeal should be allowed, and planning permission granted subject to the conditions listed above.

*Darren Ellis*

APPEAL PLANNING OFFICER

**Inspector's Decision**

12. 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 allow the appeal and grant planning permission subject to the conditions above.

*RC Kirby*

INSPECTOR