



Appeal Decision

Site Visit made on 28 July 2021

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2021

Appeal Ref: APP/N3020/D/21/3274009

31 Church Crescent, Daybrook, Nottingham NG5 6JD

- 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 Tony Vanns against the decision of Gedling Borough Council.
 - The application Ref 2020/1033, dated 12 October 2020, was refused by notice dated 14 January 2021.
 - The development proposed is a porch and a two storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a porch and a two storey rear extension at 31 Church Crescent, Daybrook, Nottingham NG5 6JD, in accordance with the terms of the application, Ref 2020/1033, dated 12 October 2020, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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 Location Plan; 1031-2A (Working Drawing).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 20 July 2021. The main parties have been provided with the opportunity to comment on the relevance of this revision to the Framework to their respective cases, and I have had regard to the comments received.
3. I have used the more complete site address given on the appeal form.

Main Issues

4. The main issues are i) the effect of the proposal on the character and appearance of the area, and ii) the effect on neighbours' living conditions, in terms of outlook and overshadowing.

Reasons

Character and appearance

5. The appeal site occupies a corner plot with three elevations clearly visible from the public realm. The adjacent dwelling, No 33, is of a similar depth, but is

- wider and differs in its materials and roof design. Indeed, I saw these variations extended to many dwellings in the immediate surroundings, with both buff and red brick visible, as well as hipped and pitched roofs.
6. The Council's concern is that the scale of the extension, having the same ridge and eaves height as the main dwelling, means it would fail to appear subservient to the main dwelling and would dominate it, harming its character and appearance.
 7. Policy LPD43 of the Gedling Borough Local Planning Document (LPD) (July 2018) supports extensions where the appearance of the proposal is in keeping with surrounding character in terms of height, built form and general design. Policy 10 of the Gedling Borough Council Aligned Core Strategy (ACS) (September 2014) sets out that development will be assessed in terms of structure, texture and grain including street patterns, plot sizes, orientation and positioning of buildings and the layout of space.
 8. I recognise that subservience is a common requirement for extensions, particularly where the original form or scale of the building contributes to a wider pattern of development or continuity in the street scene. However, in this case the appeal dwelling is an individual design not forming part of a consistent street scene. Moreover, corner buildings often differ in scale and design, reflecting their prominent positions in the street scene. Therefore, I am not persuaded that a subordinate design is necessarily required in this case.
 9. The proposal would see the whole of the dwelling extended rearwards by 3 metres, with the hipped roof form and flat rear elevation carried through. In replicating the existing design, including the hipped roof form and materials, the proposed extension would assimilate into the main building and would maintain its existing character.
 10. In terms of depth, the extension would add less than half of the depth of the existing dwelling. The site benefits from a deep rear garden which creates a clear gap in the built form between No 31 and 8 Church Close behind. It also lends the site a spacious character with views possible across the site to Nos 33, 35 and 37 beyond, the latter two of which sit significantly further back in their plots. Given this context, the proposed extension would not dominate the dwelling or the site, nor would the enlarged dwelling appear out of step with the depth of the built form in the wider street scene. The dwelling would also maintain the same scale and form in views from the front on Church Crescent.
 11. For these reasons, I conclude that the proposal would not harm the character and appearance of the dwelling or the surrounding area, and no conflict would arise with the aforementioned aims of Policies 10 and LPD43.
 12. The Council did not oppose the proposed porch extension to the front of the dwelling. This is a modest addition that would be largely set in against the projecting front gable, with a pitched roof reflective of the main roof in angle. I also saw various porch additions to other dwellings, including Nos 33, 35 and 37. Given these factors, I see no reason to disagree with the Council's conclusions in respect of this element of the proposal.

Living Conditions

13. The rear extension would project 3 metres beyond the rear wall of No 33 and would be set in some 0.8m from the shared boundary. I am not referred by the

Council to any particular guidance on depths of extensions where they are located near neighbouring windows. The proposed extension would be located almost directly to the north of No 33, with the rear elevations facing east. As such, the extension would not block sunlight from reaching any of the neighbouring windows, or the ground floor conservatory, and would not lead to any increased overshadowing of the neighbouring property. I find the Council's concern in this regard to be unsubstantiated.

14. In terms of outlook, the extension would align roughly with the depth of the adjacent conservatory and would not extend further into the garden. The separation of the extension off the side boundary would reduce its immediacy in views from the nearest window of No 33. The additional depth of the extension would not be significant given the size and openness of the rear gardens of the appeal site and No 33, and would have limited impact on the wide vista over and beyond the rear gardens which is possible from the rear windows, conservatory and patio of No 33. Therefore, the outlook enjoyed by neighbouring occupants would not be significantly diminished, nor would the extension result in a harmful overbearing effect or sense of enclosure.
15. For these reasons, I find that the proposal would not demonstrably harm the living conditions of neighbouring occupants, and would comply with Policy 10 of the ACS and LPD32 of the LPD, which support development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers, including with respect to overshadowing, overbearing and residential visual amenity.
16. The Council concluded that the porch would have no adverse effect on the living conditions of neighbouring occupants, and given its small scale and position to the front of the dwelling, I agree.

Conditions

17. To provide certainty, a condition is required specifying the relevant drawings. It is also necessary to impose a condition requiring external surface materials to match the existing dwelling in order to secure a satisfactory appearance.

Conclusion

18. For the reasons given, I conclude that the proposal accords with the development plan, taken as a whole, and there are no material considerations which suggest that permission should nevertheless be withheld. Therefore, the appeal should be allowed.

K Savage

INSPECTOR