



Appeal Decision

Site visit made on 19 October 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2022

Appeal Ref: APP/J3015/D/21/3277784

29 Rivergreen Crescent, Bramcote, NG9 3ET

- 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 Selina Watmore against the decision of Broxtowe Borough Council.
 - The application Ref 21/00182/FUL, dated 7 March 2021, was refused by notice dated 3 June 2021.
 - The development proposed is to construct two storey front and rear extensions, raise the ridge height inserting a hip roof to the existing / extended dwelling including a loft conversion and rear box dormer, insert a hip roof to the existing single storey side extension and external alterations.
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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.

Application for costs

3. An application for costs was made by Selina Watmore against Broxtowe Borough Council. This application is the subject of a separate decision

Procedural Matters

4. The description of development was amended during the course of the original application to include the proposed raising of the roof height and rear dormer. I have used the amended description which more accurately reflects the nature of the proposal.
 5. Amended drawings were submitted to the Council during the original application. For the avoidance of doubt, I have based my assessment on these amended drawings: Block Plan Ver 1 dated 28th March 2021; Proposed Ground Floor Plan, Proposed First Floor Plan Ver 1 dated 28th March 2021; Proposed Elevations to the Front (West) and Cross Section (Sideways) dated 2nd March 2021/V1 10th May 2021; Proposed Elevations to the Rear (East) and to the Side (North) dated 2nd March 2021/V1 10th May 2021; and Proposed Elevations to the Side (South) and Long Section (Front to Rear) dated 2nd March 2021/V1 11th May 2021.
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Main Issues

6. The main issues are:

- The effect of the development on the character and appearance of the locality; and
- The effect of the proposal on the living conditions of the occupiers of the neighbouring properties, with particular regard to light, outlook and privacy.

Reasons for the Recommendation

Character and appearance

7. The appeal site comprises a two-storey detached dwelling located in Rivergreen Crescent. The street is comprised of a mix of detached two-storey dwellings and bungalows, built with similar materials but with a range of designs. The variety in house types helps to provide an attractive streetscape but there remains a sense of coherence on account of the fact that each house type is regularly repeated throughout the wider estate. Although there is variety in scale between bungalows and two storey properties, the two storey dwellings share similarities in height and scale, with regular spacing between dwellings. This provides the impression of a carefully planned estate and has resulted in an attractive residential environment.
8. In addition, the design of the appeal property is attractive in its own right, with a prominent two storey bay, catslide roof over the entrance and hipped roofs on the bay and main dwelling. Those features provide an interesting front façade with shades of Arts and Crafts movement. The proposal would remove the distinctive bay and catslide roof and result in a comparatively bland front elevation with little architectural detail and unbalanced fenestration with openings to the left and centre but none on the right-hand side of the façade. Those alterations would significantly erode the attractive appearance of the dwelling. I recognise that there are examples of houses with flush facades within the estate. However, as set out above, the consistent use of a range of house types provides an attractive environment and the design of the dwelling in question forms part of that repetition and consistency.
9. Moreover, the scale of the dwelling, particularly the height, would be out of kilter with the established character of the area. Whereas the rooflines gradually rise up the street at present on account of the gradual slope, the proposed ridgeline would mark an abrupt step in height and would tower above the dwellings at either side. The overall bulk of the roof would be excessive, resulting in a top-heavy appearance. This would be particularly noticeable from further down Rivergreen Crescent due to the fact that the dwelling is set forward of the neighbouring property. Consequently, the proposal would cause harm to the character and appearance of the dwelling and the wider estate on account of its design, the removal of attractive features and excessive scale.
10. Whilst there are examples of extensions to similarly designed dwellings in the estate, including No 50, those extensions are set to the side thereby retaining the front porch element and curved bay window. As such, the impact is not comparable to the appeal proposal.

11. For these reasons, the proposed extension would detract from the character and appearance of the locality. As such the proposal would fail to accord with policy 10 of the Greater Nottingham Aligned Core Strategies (2014) (ACS) and policy 17 of the Part 2 Local Plan (2019) (LP). These both require, amongst other things, that new development positively contributes to the area. The proposal would also contravene the design aims of the National Planning Policy Framework (the Framework), including paragraph 130 and 134 which states that a development proposal that is not well designed and fails to take into account local and national design policies should be refused.

Living conditions of the neighbours

12. The proposed two-storey element of the extension would project a modest distance beyond the rear elevation of the bungalow at No 31, although immediately adjacent to the extension would be the side path and a planting area with the patio and lawned area set away from the boundary with the appeal site. The extension would project only a small distance beyond the rear elevation of No 27, although the two-storey element would be set away from No 27 with a single-storey element being adjacent to the boundary.
13. While the roof would be increased in height, the hipped design of the roof would ensure that the highest part of the roof is set away from the neighbouring properties, which would lessen any impact of the extension on these properties. As a result of the modest projections beyond Nos 27 and 31 together with the design of the extension and roof, the proposal would not cause a significant overbearing impact, sense of enclosure or loss of light to these neighbouring properties.
14. The appeal property lies to the north of No 31 and as such would not cause any overshadowing or loss of direct sunlight to this property. The appeal property lies to the south of No 27, however given the very limited projection of the extension beyond No 27 and the hipped roof design, the proposal would not result in any significant overshadowing to No 27.
15. Furthermore, the proposal would not cause any issues with regards to an overbearing impact, sense of enclosure, overshadowing or loss of light to other nearby properties given the considerable distance and, in some cases, orientation to these other properties.
16. I understand the concerns of the neighbours with regards to overlooking. However, a degree of mutual overlooking between the properties already exists. Moreover, as the windows in the two-storey extension would be further to the rear than the existing windows, the area of garden closest to the bungalow at No 31 would receive less overlooking. There would also be a reasonable separation between the proposed dwelling and the properties to the rear. For these reasons I consider that the proposal would not cause any significant additional overlooking.
17. For these reasons, the proposed extension would not cause harm to the living conditions of the occupiers of the neighbouring properties. As such the proposal would accord with policy 10 of the ACS and policy 17 of the LP which, amongst other things, require development to provide a satisfactory degree of amenity for occupiers of neighbouring properties.

Other Matters

18. Concerns have also been raised by neighbours with regards to car parking, ecology and drainage. I note that the Council has not raised any objections to these matters. Based on the evidence before me and given the scale and nature of the proposed extension, I have no reason to disagree with the Council's conclusions.
19. Party wall agreements are not planning considerations and are covered by separate legislation. School catchment areas, EPC ratings and the effect on house values are not planning considerations in this case and therefore have no bearing on this appeal.

Conclusion

20. Whilst I have found that the proposal would not cause harm to neighbouring living conditions that matter does not outweigh or obviate the need to comply with relevant policies in terms of good design. For the reasons given above the proposal fails to conform to the relevant policies of the development plan and the Framework in that respect and would cause harm to the character and appearance of the area. Having had regard to that and all other matters raised, I recommend that the appeal should be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

21. 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