

Appeal Decision

Site visit made on 26 April 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 June 2022.

Appeal Ref: APP/P3040/D/22/3293537
18 Meadow End, Gotham, NG11 0HP

- 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 and Mrs Pollard against the decision of Rushcliffe Borough Council.
 - The application Ref 21/01886/FUL, dated 22 June 2021, was refused by notice dated 2 December 2021.
 - The development proposed is a side extension and alteration of roof to provide first floor bedrooms.
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Decision

1. The appeal is allowed and planning permission is granted for a side extension and alteration of roof to provide first floor bedrooms at 18 Meadow End, Gotham, NG11 0HP in accordance with the terms of the application Ref 21/01886/FUL, dated 22 June 2021 and in accordance with the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) 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;
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: 770601 Proposed Extensions.

Main Issues

2. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of neighbouring occupiers, with regards to outlook and daylight.

Reasons

Character and Appearance

3. The appeal property is a single-storey detached dwelling located on a garden plot in a residential area. The dwelling is set well-back from the road behind a front garden and driveway and has a relatively large area of garden to its northern side and to the rear.
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4. The surrounding area is characterised by a very broad range of house types, including one and two-storey houses; and detached, semi-detached and terraced houses. Houses range considerably in height, from single-storey bungalows and a bungalow with rooms at first floor level; through to a tall, converted church building.
5. During my site visit, I observed that many properties along Meadow End have been altered and/or extended and that these changes have added to the varied character of the area. I also noted during my site visit that whilst the appeal property has neighbouring bungalows to either side, it is set much further back from the road than Number 16 Meadow End and it appears different in form and appearance to Number 20 Meadow End.
6. Consequently, there is no strong sense of uniformity between the dwellings. Rather, it is the differences in property types, forms and appearances that lends the area an interesting and pleasant character.
7. The proposed development would result in a modest increase to the ridge height of the appeal property, providing for first floor accommodation in a similar way to Number 10 Meadow End, nearby. The proposal would also integrate an extension to the northern side of the property.
8. Whilst this would result in a larger dwelling, there would be no discernible harm to the character of the surrounding area. As above, the surrounding area is characterised by a broad range of property types, many of which have been altered and/or extended. The appeal property sits on a large garden plot and the proposed extension would sit comfortably within this and would appear in keeping with the surrounding area.
9. The appeal property would maintain considerable areas of garden to the front and to the rear and whilst the proposal would extend the size of the dwelling, there would still be visual gaps between dwellings along the same side of Meadow End as the appeal property.
10. Taking the above into account, I find that the proposed development would not appear incongruous, would be sympathetic to local character and would respect its surroundings.
11. Consequently, the proposed development would not harm the character and appearance of the area and would not be contrary to the National Planning Policy Framework, to Core Strategy¹ Policy 10, or to Local Plan Part 2² Policy 1, which together amongst other things, seek to protect local character.

Living Conditions

12. As above, the proposed development would involve a small increase to the ridge height of the roof.
13. Number 20 Meadow End is located to the south of appeal property and there is little in the way of evidence to support the Council's suggestion that the proposed development would result in overshadowing impacts to No 20's north-facing living room in the afternoon/evenings.

¹ Rushcliffe Local Plan Part 1: Core Strategy (2014).

² Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

14. There could possibly be some increase in overshadowing to Number 16's conservatory area, which is located to the north of the appeal property. However, I find that the small increase in ridge height proposed, combined with the distance between the proposed roof at its highest point and the neighbouring conservatory, would mean that any additional overshadowing arising would not be so harmful as to warrant the dismissal of this appeal. There is no substantive evidence before me to the contrary.
15. Taking the above into account, the proposed development would not result in harmful overshadowing and would not result in any overbearing impact on neighbouring dwellings.
16. Consequently, I find that the proposal would not harm the living conditions of neighbouring occupiers with regards to outlook and daylight and would not be contrary to the National Planning Policy Framework or to Local Plan Part 2³ Policy 1, which together amongst other things, seek to protect residential amenity.

Conditions

17. I have considered the conditions suggested by the Council against the tests set out in Paragraph 56 of the Framework. A condition specifying the approved plan is necessary for the avoidance of doubt and in the interests of proper planning.
18. A condition controlling external surfaces is necessary in the interests of local character.

Conclusion

19. For the reasons given above, the appeal is successful.

N McGurk

INSPECTOR

³ Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).