



Appeal Decision

Site visit made on 9 August 2022

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 SEPTEMBER 2022

Appeal Ref: APP/B3030/D/22/3301623

50 Sycamore Close, Rainworth, Nottinghamshire NG21 0FX

- 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 Ms H Rhind against the decision of Newark & Sherwood District Council.
 - The application Ref 22/00661/HOUSE, dated 29 March 2022, was refused by notice dated 27 May 2022.
 - The development proposed is a first floor side/rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the area; and
 - The living conditions of the occupiers of 48 and 49 Sycamore Close, with particular regard to privacy and outlook.

Reasons

Character and Appearance

3. The appeal relates to a two-storey detached dwelling within a contemporary housing development formed of cul-de-sacs. The close is characterised by detached and semi-detached two-storey dwellings and bungalows often with a single garage at the side. The dwellings typically feature simple dual pitched main roofs with side facing gables. To the front are driveways and modest unenclosed front gardens. To the rear are enclosed private gardens.
4. The separation provided by the detached houses and their distance from the footpath, the 'open plan' nature of the area, and the prevalence of bungalows gives the street scene a pleasant open appearance and spacious character. Examples of two storey side extensions above garages can be found however and have reduced the sense of space between dwellings at first floor in places.
5. The appeal property sits in a row of 4 detached dwellings, located in a prominent position at the entrance to the close. The host dwelling is on a narrower plot, forward of the adjacent dwelling at No 49 and the extent of its extensions differs from neighbouring properties. The dwellings are similar in scale and appearance to one another, however there is some variation in

- window styles and brick types. Each are separated by attached single garages and private footpaths to the side, affording space between them at first floor.
6. The proposal would extend above the host dwelling's existing attached side garage at the front and an existing single storey side and rear extension behind, reducing the gap to No 49. The front part of the proposal would be slightly set back from the front elevation of the original dwelling at first floor and feature a slightly lower ridge height and modest width. While it would be the first example of this type of side extension in this short row of 4 dwellings, the front part of the extension would appear subservient to the original dwelling and, in the wider context where such extensions are not uncommon, it would not have a harmful impact on the character and appearance of the area.
 7. However, the rear part of the proposal would create a narrow two storey blank brick wall on its front facing elevation. This element would be considerably set back from the main frontage of the dwelling and feature a lower ridge height. Nevertheless, it would be visible from the street and add significant mass to the extension. It would therefore appear as an incongruous addition, out of keeping with the host dwelling and neighbouring properties. It would also further reduce the gap to No 49, eroding the sense of space between dwellings.
 8. From around the corner on Sycamore Close, the proposed rear part of the extension would sit prominently in views from the street. Though it would be read within the setting of the existing dwellings adjacent, it would substantially obscure the host dwelling from this perspective. While the rear projection features a lower ridge height, its overall proportions would not be sympathetic to the host dwelling or neighbouring properties, and combined with its proximity to No 49, it would appear cluttered in its setting.
 9. In respect of this main issue, the proposal would detract from the character and appearance of the area. It would therefore be contrary to Core Policy 9 of the Amended Core Strategy (ACS), adopted March 2019, and Policies DM5 and DM6 of the Allocations & Development Management Development Plan Document (ADM DPD), adopted July 2013. These policies, amongst other things, seek to ensure proposals respect the design and detailing of the host dwelling, and the character and local distinctiveness of the area. The proposal would also conflict with the provisions in Part 12 of the National Planning Policy Framework (the Framework) in relation to achieving well-designed places.

Living Conditions

10. The proposal would bring the first-floor rear extension, including a large bedroom window, closer to the rear boundary of the appeal site, which it shares with No 48. I saw on site there is only a short distance to this boundary from the host dwelling, and space between dwellings at the rear is generally modest. The host dwelling already features windows at ground and first floor facing No 48. It is acknowledged there is therefore an existing degree of overlooking of neighbouring gardens from first floor windows at the appeal site, and similarly from neighbouring properties. However, further eroding the distance to the shared boundary at first floor and introducing a large window would increase the level of overlooking to the extent of causing significant harm to the living conditions of the occupiers of No 48 through loss of privacy.
11. No 49 has a modest private rear garden. The garden is enclosed by a high fence, the appeal property's existing single storey extension at the side, and

the blank two storey gable of an adjacent dwelling at the rear. There is a partially glazed door serving the rear kitchen/dining area of No 49 on the side facing the appeal site. Immediately outside this door is a small patio with a seating area and translucent canopy. There is a noticeable difference in levels between No 49 and the appeal site.

12. The appeal property's existing single storey extension already sits immediately adjacent to the shared boundary. I observed on my site visit that, in its current form, the existing extension looms large from this neighbour's garden and patio, exacerbated by the difference in ground levels. While this existing relationship is acknowledged, the proposal would increase the height of the built development along the boundary. This would further enclose this neighbour's rear garden and patio, having an oppressive effect on the outlook from it to the extent of causing significant harm to the living conditions of the occupiers of No 49.
13. Notwithstanding this, the proposed first floor rear bedroom window would have an oblique relationship to the rear garden of No 49 and so would not result in significant overlooking of this neighbouring garden. In respect of the proposed side facing bathroom window, planning conditions could have been used to ensure this is obscurely glazed to prevent any overlooking.
14. In respect of this main issue, the proposal would harm the living conditions of the occupiers of 48 Sycamore Close, with regard to privacy, and 49 Sycamore Close, with regard to outlook. It would therefore be contrary to Core Policy 9 of the ACS and Policies DM5 and DM6 of ADM DPD. These policies, amongst other things, seek to ensure proposals do not have an adverse impact on the amenities of neighbours including loss of privacy and overbearing impacts. The proposal would also be inconsistent with the provisions in Part 12 of the Framework regarding achieving well-designed places.

Other Matters

15. I acknowledge the principle of a residential extension in this location is acceptable and that the appellant proactively sought to overcome the Council's concerns by amending the original proposals during the planning application process. However, these matters do not indicate that the appeal proposal before me is acceptable with respect to the main issues.
16. Third party comments regarding loss of light to habitable rooms, rear private space and solar panels are noted. However, given that I am dismissing the appeal on the basis of the main issues that I have set out above, it has not been necessary for me to consider these matters in greater detail.

Conclusion

17. For the reasons given above and having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

Ryan Cowley

INSPECTOR