



Appeal Decision

Site visit made on 7 June 2022 by Darren Ellis MPlan

Decision by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 October 2022

Appeal Ref: APP/B3030/D/22/3295381

11 Adams Row, Southwell NG25 0FF

- 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 & Mrs Meldrum against the decision of Newark & Sherwood District Council.
 - The application Ref 21/02363/HOUSE, dated 2 November 2021, was refused by notice dated 5 January 2022.
 - The development proposed is a single storey rear extension following demolition of existing and 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.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the host dwelling and surrounding area; and
 - the effect of the proposal on the living conditions of occupiers of 10 Adams Row with particular regard to its visual impact.

Reasons for the Recommendation

Character and appearance

4. Adams Row consists of detached dwellings with a range of designs, and some of the properties have been extended. The dwellings are predominantly finished in brick, although some have small amounts of render, timber and tiles to the front elevation. Overall, the properties in the street have a cohesive appearance and rhythm.
 5. The proposal comprises a large single storey extension which extends to the depth of the garden. The southern side elevation of the extension would have a large proportion of glazing when compared to the existing dwelling, however the glazing would be largely hidden from public view. Nevertheless, due to the very substantial depth of the extension and its large expanse of flat roof it
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would result in a prominent, bulky, and disproportionate addition which would fail to assimilate comfortably with the form and proportions of the host dwelling. Its incongruous appearance would be emphasised by the all-render finish. Although render is present in the street scene, in this case the large expanse of render to be used would not respect the character or appearance of the host dwelling or the surrounding area.

6. The incongruity of the extension would be particularly prominent when viewed from the cul-de-sac to the south of the property as the extension would exceed the height of the boundary wall. I note that existing boundary landscaping would partially screen the extension from public view, however the landscaping could be cut down, removed or die off at any time. As such the landscaping is not sufficient to be considered as a permanent screen.
7. I note that a single-storey extension from the existing rear elevation of up to 8m in length could potentially be erected under permitted development, subject to the prior approval process. However, no substantive details or drawings of any such extension have been provided and there is no guarantee that a prior approval application would be successful should one be submitted. Moreover, such an extension would not project as far as the proposed extension and therefore may be less prominent and appear less disproportionate than the appeal proposal. For these reasons I attach very limited weight to this fallback position which would be insufficient to outweigh my concerns above.
8. On the first matter I therefore conclude that the proposed extension would cause significant harm to the character and appearance of the host dwelling and the surrounding area. As such the proposal would fail to comply with Core Policy 9 of the Newark & Sherwood Amended Core Strategy (March 2019) (ACS), Policies DM5 and DM6 of the Newark & Sherwood Allocations & Development Management Development Plan Document (July 2013) (DPD), and Policy DH1 of the Southwell Neighbourhood Plan (October 2016) (NP) insofar as they all require, amongst other things, for development to be of an appropriate form and scale to its context complements the existing built environment, and respects the character of the surrounding area. The proposal would also conflict with the guidance in the Newark & Sherwood Local Development Framework Householder Development Supplementary Planning Document (November 2014) (SPD) and the design aims National Planning Policy Framework (the Framework), which require development to be visually attractive and sympathetic to local character.

Living conditions of the occupiers of 10 Adams Row

9. The proposed extension would project the whole length of the shared boundary with No 10, but would, for the most part, be set away from the boundary. The flat roof design and the height of the roof, which projects to only a limited height above the boundary wall, would limit the impact on No 10. The furthest part of the extension, which would house the utility and pantry, would only have a minimal separation to the boundary. However, this part of the extension would be adjacent to the area of garden furthest from the house at No 10 which would mitigate its impact. For these reasons, the proposed would not cause any significant harm by way of an overbearing or dominating effect on the occupiers these No 10.

10. The proposal would therefore comply with DPD Policies DM5 and DM6, which both require development to not have an adverse impact on the amenity of neighbours, including through an overbearing effect. The proposal would also accord with the guidance in the SPD and the Framework which state that development should have a high standard of amenity for existing and future users.

Other Matters

11. The applicant has advised that due to the health of family members they require flexible and enlarged accommodation to meet these needs. From this I consider that they may have protected characteristics under Section 4 of the Equality Act 2010. Consequently, I have had due regard to the Public Sector Equality Duty (PSED) contained at Section 149 of the Equality Act 2010, which requires me to consider the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
12. However, it does not follow from the PSED that the appeal should be allowed. The needs of family must be balanced with the significant adverse impacts of the proposal identified earlier. I am not persuaded that there are no alternatives to the proposal, including other forms of extension, that could deliver substantially the same benefits without conflict with the development plan.
13. Therefore, while I acknowledge the personal circumstances of the appellants, I conclude that these are not matters which outweigh the harm that would be caused by the proposal.
14. I accept that the extension could provide more security to the property than the existing conservatory. However, there is no reason why this issue could be resolved by other forms of extension which would not have such a harmful impact on the character and appearance of the host dwelling and surrounding area. Consequently, this matter does not outweigh the harm that has been identified.
15. I note the appellant's comments in relation to the sustainable and accessible nature of the scheme, and that the development would make effective use of land. However, these are not factors that would outweigh the harm identified above. Furthermore, whilst I note that there are no objections to the scheme and that it would not give rise to harm to heritage assets, these are neutral factors which do not weigh in favour of the proposal.

Conclusion and Recommendation

16. For these reasons, I find that the proposal conflicts with the development plan taken as a whole and there are no other material considerations to indicate that a decision should be made other than in accordance with the development plan. I recommend that the appeal should be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

18. 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.

Anne Jordan

INSPECTOR