



Appeal Decision

Site visit made on 30 November 2022

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 JANUARY 2023

Appeal Ref: APP/Q3060/D/22/3306745

2 Harby Drive, Nottingham NG8 1AR

- 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 Zahid Rashid against the decision of Nottingham City Council.
 - The application Ref 22/00799/PFUL3, dated 13 April 2022, was refused by notice dated 15 August 2022.
 - The development proposed is to construct a single-storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side extension, at 2 Harby Drive, Nottingham NG8 1AR, in accordance with the terms of the application, Ref 22/00799/PFUL3, dated 13 April 2022, 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: Drawing No.2 - Proposed Plans, Block Plan and Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used in the existing building.

Procedural Matters

2. In addition to the single storey side extension, the proposed plans show a front porch. This is not mentioned in the Council's appraisal of the proposed development or its reason for refusal. I note from the planning history section of the Council's report that a front porch was granted planning permission in 2014, along with a single storey rear extension. Although there is an existing rear extension to the property there is no porch. As there is nothing before me to confirm if the porch currently proposed is the same as that approved previously, or if that permission remains extant, due to the rear extension having been constructed, I have considered the drawings submitted in full, including the front porch.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Middleton Boulevard Conservation Area (CA).

Reasons

4. There is a statutory duty under section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
5. I have not been provided with a Conservation Area Appraisal, Design and Access Statement, Heritage Statement or any other information setting out what either of the parties consider to be the special significance of the CA, which is an early twentieth century residential estate. In my view, the significance of the area is its planned layout and the matching architectural style and materials of the houses and bungalows. The appeal property, whilst not of any notable heritage significance in its own right, is in keeping with the style and materials of other properties in the area and accordingly, it makes a neutral contribution to the appearance of the CA.
6. The appeal property is located on the corner of Harby Drive and Orston Drive. Both of these streets comprise pairs of semi-detached bungalows, set back from the road behind front gardens. Although all of the properties have hipped roofs, those at the northern end of Orston Drive appear to have been built slightly earlier, having steeper roofs with curved eaves, covered with small red clay tiles and with tall brick chimney stacks. The Council's report makes reference to the characteristic roofs of the Crane bungalows built on the estate in the 1930's. In the absence of any further information, it is assumed these properties are the ones the Council refer to.
7. Properties on Harby Drive and the southern end of Orston Drive, including the appeal site, replicate those to the north to some extent, but have concrete or clay pantile roofs, in a variety of colours and no chimney stacks. The majority of properties in the area are finished in a white or cream painted render and have white UPVC windows and doors. There are a variety of porches, roof alterations and single storey side extensions.
8. The proposed front porch would be of modest scale. It would have a hipped roof and would be finished in materials that match the main dwelling. Similar examples of front porches can be seen elsewhere within the estate, including fronting on to Harby Drive.
9. The main part of the side extension would be a continuation of the existing bungalow, following the line of the front and rear elevations and the eaves and ridge heights. The existing hipped roof form would be replicated, and matching materials used. The width of this, together with the smaller addition of the proposed shower room, would be just over half the width of the original bungalow and would not appear disproportionate. The shower room element of the proposal would have a lower hipped roof, appearing similar to a further porch extension.
10. Although the proposal would extend the side of the property closer to Orston Drive, it would continue to be set in from the footpath by at least 3 metres, and that gap would increase closer to the corner of the front garden, due to the orientation of the building. Consequently, the open corner would be retained, and the extension would not appear intrusive in the street scene. Whilst the long term future of the existing boundary hedge cannot be guaranteed, it adds privacy to the property, and I see no reason why it would be removed. I have therefore given the presence of the existing hedge, which would soften and

screen the proposal in views from the front and side of the site, some limited weight.

11. The property is currently most visible to the rear, across the driveway of the site, and over the open front garden, driveway and low boundary fence of No.57 Orston Drive.
12. The Council has suggested a loft conversion, as an alternative way of providing additional living accommodation to the appellant's home. Although I noted the presence of some roof lights and dormer windows in the area, to my mind roof alterations would be more prominent, particularly on this corner plot where even the rear roof slope is highly visible. As the roofs of the properties in this area are the only characteristic of the CA that has been drawn to my attention by the Council, it is my view that altering the roof would be less likely to preserve the appearance of the CA than the scheme currently before me.
13. Accordingly, I find that the proposal would not be intrusive in the streetscene and would preserve the character and appearance of the property and the CA, in accordance with Policies 10 and 11 of the Greater Nottingham Aligned Core Strategies Part 1 Local Plan (September 2014) and Policies DE1, DE2 and HE1 of the Nottingham City Land and Planning Policies Local Plan Part 2 (January 2020)(LAPP), which seek amongst other things to ensure that new development has regard to local context, including conserving heritage assets and respecting and enhancing the streetscape.

Conditions

14. In addition to the standard time limit, I have conditioned the approved drawing number, for the avoidance of doubt as to what has been approved. It is also necessary to condition that the external materials of the extension and porch match those of the existing bungalow, in order to preserve the character and appearance of the CA.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

R Bartlett

INSPECTOR