



Appeal Decision

Site visit made on 13 February 2023

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2023

Appeal Ref: APP/A3010/D/22/3305933

10 Westminster Close, Worksop, Nottinghamshire S81 0PN

- 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 David Finch against the decision of Bassetlaw District Council.
 - The application Ref 22/00809/HSE, dated 14 June 2022, was refused by notice dated 11 August 2022.
 - The development proposed is described as a “two storey side extension and single storey porch”.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant considers that Policy DM4 of the Bassetlaw District Council Core Strategy & Development Management Policies DPD¹, adopted 2011 (CS) is out-of-date due to its date of adoption and therefore they consider that paragraph 11(d) of the National Planning Policy Framework (NPPF) is engaged. However, paragraph 219 of the NPPF states that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given”.
3. CS Policy DM4 relates to general design principles and requires development proposals to be of a high-quality design. This reflects Chapter 12 of the NPPF, particularly paragraph 130, which seeks to achieve well-designed places, add to the overall quality of the area and be sympathetic to local character. Full weight is therefore given to CS Policy DM4 and paragraph 11(d) of the NPPF is not engaged for the purposes of determining this appeal.
4. The Council’s reason for refusal refers to the partial screening of the proposed development by 12 Westminster Close. This is a typographical error as the neighbouring property is actually number 8. The appellant hasn’t been prejudiced by this error as they have referenced the relationship between the proposed extension and No 8 within their appeal statement. I have therefore determined the appeal on this basis.

¹ Bassetlaw District Local Development Framework Core Strategy & Development Management Policies DPS, adopted December 2011

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

6. Westminster Close is a residential cul-de-sac comprising two-storey semi-detached properties located along either side of the road, leading to bungalows sited at the turning head. There is a gentle curve to the road which results in the dwellings having a staggered set back behind front gardens. The dwellings appear to have all been constructed as part of one development, as the two-storey dwellings have a similar appearance, although some have attached garages to the side. A number of the dwellings still retain their original appearance when viewed from the street, but some have been extended and altered. However, due to the scale and/or siting of such extensions or alterations, they have not significantly eroded the original character or appearance of the street.
7. The appeal site comprises a two-storey semi-detached dwelling with a shallow pitched roof. It, as well as the attached dwelling (12 Westminster Close), appear to have retained their original appearance with no extensions or alterations. The appeal proposal would involve the construction of a two-storey side extension that would extend up to the boundary shared with 8 Westminster Close and project forward of the original front elevation by 3.66m. It would have a front facing gable. Due to the staggered arrangement of the existing dwellings, the proposed two-storey extension would not project beyond the front elevation of No 8. A single storey porch would also be constructed across the front door, extending 1m beyond the original bay window.
8. By reason of its significant projection forward of the original front elevation, the inclusion of a front facing gable, and a ridge height that matches the original dwelling, the proposed extension would not appear subservient. Instead, it would dominate the host dwelling, adversely affecting its character and appearance. It would also unbalance the existing pair of semi-detached dwellings that are currently similar in their appearance when viewed from the road. I appreciate that the extension would not appear prominent from the street due to No 8 being located forward of the host dwelling at the appeal site. However, due to its scale and significant forward projection, it would result in an alien feature within the street, eroding its character and appearance.
9. The appellant considers that the approval of similar developments by the Council at 7 and 9 Winchester Close has set a precedent for the approval of the appeal proposal. However, these extensions were approved under a different development plan; neither extension projects a similar distance from the front elevation of the original dwelling as the appeal proposal; and the arrangement of the dwellings along Winchester Close differs to Westminster Close. Therefore, they are not directly comparable to the appeal proposal. In any event, each case must be determined on its own merits.
10. My attention has been drawn to extensions that were approved by the Council at 36 Holding, Worksop² and at 9, 11 and 17 Westminster Close. Limited

² Planning Reference: 20/01310/HSE

information has been provided in respect of No 36 and therefore I am unable to determine whether it is comparable to the appeal before me. In respect of the extensions at No 9 and No 11, these are single storey and do not project as far into the front garden as the appeal proposal. The two-storey extension at No 17 does not project forward of the original front elevation. Therefore, these examples are not directly comparable to the appeal proposal and in any event, each case must be determined on its own merits.

11. In reference to the main issue, the proposed development would be harmful to the character and appearance of the surrounding area. It would conflict with Policy DM4 of the CS which, amongst other things, seeks to ensure that new development should respect their wider surroundings and should respect their context in terms of density, height, scale, mass, materials and detailing. It would also conflict with the NPPF that requires development to be sympathetic to local character including the surrounding built environment.

Other Matters

12. It is regrettable that the Council does not have any bespoke design guides to assist applicants in designing householder extensions. However, this has not prevented me from forming a view on the main issue.
13. The appeal site may not have any particular land designation or identified sensitivity, and the Council may not have raised any further concerns with the proposal. Nevertheless, I have identified that the proposal would result in harm to the character and appearance of the surrounding area.

Conclusion

14. For the reasons given above, having considered the development plan as a whole and all other material considerations, I conclude that the appeal is dismissed.

A Berry

INSPECTOR