



Appeal Decision

Site visit made on 7 September 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 October 2023

Appeal Ref: APP/N3020/D/23/3326240

80 Valeside Gardens, Colwick, Nottingham, NG4 2EP

- 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 Kevin Lindo against the decision of Gedling Borough Council.
 - The application Ref 2023/0081, dated 23 January 2023, was refused by notice dated 26 May 2023.
 - The development proposed is a first-floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first-floor side extension at 80 Valeside Gardens, Colwick, Nottingham, NG4 2EP in accordance with the terms of the application Ref 2023/0081, dated 23 January 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: 1:1250 scale Ordnance Survey Location Plan; and Proposed Plans and Elevations, titled 80 Valeside Gardens, Colwick, Nottingham. NG4 2EP.
 - 3) 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.

Main Issue

2. The main issue is the effect of the proposal on the streetscene.

Reasons

3. The appeal property is a two-storey end of terrace dwelling, which is situated on a prominent corner plot within a modern residential estate. The area is characterised by blocks of terraces and pairs of semi-detached dwellings. A single-storey garage is attached to the side of the appeal property.
4. The proposal is to construct a first-floor extension above the existing garage. It would provide 2 additional bedrooms, plus an en-suite. The extension would be set back from the main front wall of the dwelling and it would have a slightly lower roof height. A similar extension was approved by the Council in 2004. However, the Council points to different policies at that time, which I accept.

5. The Council considers that the appeal proposal would have a detrimental effect on the streetscene, because of its height, built form and mass on a prominent corner. It states that the development would conflict with Policy 10 of The Gedling Borough Aligned Core Strategy and with Policy LPD43 of the Part 2 Local Plan.
6. These policies seek to ensure (amongst other things) that development makes a positive contribution to the public realm, reinforces local characteristics and that extensions to dwellings are in keeping with their surroundings in terms of height, built form and general design. Although these policies pre-date later versions of the National Planning Policy Framework, I consider that they remain consistent with the provisions of paragraph 130 of The Framework 2023.
7. The appellant has drawn my attention to other extensions in the local area, including a similar extension that has been constructed at number 28 First Avenue. That is also positioned on a prominent corner location. Notwithstanding, I have determined this appeal on its own merits and the extension at number 28 does not necessarily create a precedent for other proposals, as all sites are different.
8. I am not persuaded by the Council's arguments that the appeal proposal would be unacceptable. Although, the space at first-floor level would be compromised and the extension would be clearly visible in the streetscene, it would appear as part of the existing terrace block. In that respect, it would accord with the existing built form that characterises this section of Valeside Gardens. Furthermore, the design of the extension complements the existing dwelling in terms of its materials, roof construction and general appearance.
9. The extension would not be unduly prominent when approaching the property from the northern side and whilst it would be seen in front of the terraced properties on its south-western side, it would have a greater physical and visual relationship with the terrace on which it would be attached. This is due to the separation distance between the rear of the appeal property and the dwelling frontages to the south west.
10. Overall, for the above reasons, I find that the proposal would not have an unacceptably harmful effect on the streetscene and it would not conflict with the relevant Development Plan policies, as referred to in paragraphs 5 and 6 above.

Conditions

11. The Council has suggested conditions in the event of the appeal being allowed. In addition to the standard conditions relating to the commencement of development and the list of approved plans, a condition is also imposed requiring the use of matching external materials. This is necessary to ensure a satisfactory external appearance.

Conclusion

12. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR