



Appeal Decision

Site visit made on 29 August 2023

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11.10.2023

Appeal Ref: APP/P3040/W/23/3316027

19 Damson Road, East Leake, Loughborough, Nottinghamshire LE12 6QY

- 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 Thomas Macfarlane and Isobal Holmes against the decision of Rushcliffe Borough Council.
 - The application Ref 22/00254/FUL, dated 8 February 2022, was refused by notice dated 4 August 2022.
 - The development proposed is erection of bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - The effect on the character and appearance of the area.
 - Whether the development would provide acceptable living conditions for future occupiers with regards amenity space and internal space standards.

Reasons

Character and Appearance

3. The appeal site is a semi detached house at the end of a cul de sac location in a road of similarly styled 2 storey semi detached and detached dwellings with short front gardens and car parking to the side of dwellings. The site is adjacent to an area of public open space and so is clearly visible. To the side of the property is an area of hard standing which has planning permission for a detached garage that was under construction at the time of my site visit. The proposed bungalow would be positioned in the same location as the garage.
4. Whilst the materials and style of the dwelling would reflect the surrounding properties, the scale and appearance of the development would be out of keeping with the surroundings. The development would be clearly visible and appear as an incongruous addition. The residential paraphernalia associated with the separate independent dwelling would mean that it would not appear as an outbuilding, as suggested by the appellant.
5. The development would harm the character and appearance of the area. As such it would conflict with the part of Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (Local Plan Part 2) which supports development

that is of a scale, height, massing and design that is sympathetic to the character and appearance of the neighbouring buildings and the surrounding area.

Living Conditions

6. The proposed development would provide 55 sq. metres of amenity space. However, due to the proximity of the scheme to No 19 there would be significant overshadowing to the garden area and therefore insufficient space would be provided, causing harm to the living conditions of the occupants of the dwelling.
7. The Nationally Described Space Standards require 2 storey developments to provide a minimum of 58 sq. metres of floorspace. The appellant says the floorspace equates to some 56 sq. metres. It does not therefore comply with the space standards. Even if the installation of a dormer window, as suggested by the appellant, increased the floorspace it would not overcome the other elements of harm I have identified within the development.
8. The development would harm the living conditions of the future occupants of the dwelling with regards amenity space and internal space standards. As such it would conflict with the part of Policy 1 of the Local Plan Part 2 that requires new development to provide sufficient space within the site to accommodate the proposal together with ancillary amenity and circulation space. It would also conflict with the Rushcliffe Residential Design Guide which amongst other things identifies a need for larger gardens where gardens are overshadowed.

Other Matters

9. As identified by the appellant, the development would be an efficient use of land and would lead to the provision of an additional dwelling in an existing residential area. However, this is outweighed by the harm I have identified.

Conclusions

10. For the reasons given, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR