

Appeal Decision

Site visit made on 10 October 2023

by John Whalley

an Inspector appointed by the Secretary of State

Decision date: 20.10.2023

Appeal ref: APP/P3040/D/23/3324148

Linden Lea, School Lane, Colston Bassett, Nottingham NG12 3FD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of planning permission.
 - The appeal is made by Mr Jonathan Good against the decision of Rushcliffe Borough Council. The application, ref. 23/00730/VAR dated 16 April 2023, was refused by a notice dated 12 June 2023.
 - The development is: Variation of Condition 2 (Approved plans) and 5 (First floor windows) for application 22/01671/FUL to enable the extension to be built with reduced reconstruction of the existing property and to allow alterations to fenestration on North West and North East elevations, (description taken from the Council's notice to refuse planning permission).
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Decision

1. The appeal is dismissed.

Main issue

2. The decision turns on the likely effect of the proposed changes to the planning permission 22/01671/FUL dwelling extension project at Linden Lea, School Lane on the appearance of this part of the Colston Bassett Conservation Area.

Appeal site and proposal

3. The appeal property Linden Lea is an attractive 2 storey detached house. It is an unlisted building within the Colston Bassett Conservation Area.
4. The house is thought to be of Georgian origin. Modern extensions have been added. It has a gable end fronting School Lane. The main frontage of the house faces south-west to a forecourt and garden.
5. Planning permission 22/01671/FUL was granted on 1 November 2022 for: Demolition of extension; Two-storey rear (North-East) extension; Erection of single-storey (North-West) side porch at Linden Lea. The permission was subject to 5 conditions. Those relevant to this appeal are:

Condition 2 - The development hereby permitted must be carried out strictly in accordance with the following approved plan(s)/drawings/documents.

LINDENPROPELEVAUG2022REV2. Received 18 October 2022.

LINDENPROPPLANAU2022REV2. Received 18 October 2022.

Condition 5 - The 4 no. first floor windows in the rear, North-East, elevation of the development, facilitating the dressing room, bathroom, en-suite, and bedroom 2, hereby permitted must be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent and non-opening up to a height of 1.70m.

Considerations

6. The Appellant, Mr Jonathan Good, sought changes to conditions 2 (approved plans and 5 (first floor windows) to the 22/01671/FUL planning permission. He said the changes would enable the extension to be built with a reduced reconstruction of the house and allow alterations to its fenestration on the north-west and north-east elevations.
7. As approved, the long 2 storey rear extension would be 15.08m along its length and 3.99m deep. The hipped roof eaves would be 4.52m high with a ridge height of 5.78m. Mr Good's now proposed extension would be 13.14m long, 3.99m deep. Its 6.17m ridge height would then match that of the host dwelling. One bedroom from the approved layout would be lost.
8. Mr Good said the Council turned down his revised plan because the ridge height of the now preferred extension would be increased to match that of the existing house. But there was no policy requirement that an extension should be lower than the host dwelling. It was a mere 'rule of thumb'. It might be useful where an extension could otherwise dominate the host structure. That was not the situation here. The extension was entirely to the rear elevation. Its roof would be hipped, producing a 'stepped back' look, avoiding any dominant appearance. The 'lean to' to the elevation nearest School Lane would be retained and extended to provide a porch area. That would conceal any junction between old and new. Substantial outbuildings also screened some views.
9. The difference between Mr Good and those opposing the proposed change to his house extension scheme relate to the intended raising of the extension ridge to match that of the main house. Indeed, I regard the proposed reduction in the width of the extension by some 2m to offer an improvement over the original scheme. In that regard, the modified extension would better meet the advice contained in the Rushcliffe Residential Design Guide Supplementary Planning Document guidance on extensions at page 47 headed Extensions Generally that says: *"Extensions should be designed so that they are not readily perceived as being merely "add-ons" to the original building and therefore scale, proportion and roof form are very important. However, as a general rule the style and design of the original dwelling should remain the dominant element with the extension subordinate to it. The extension should never dominate the original dwelling unless there are exceptional circumstances. Stricter controls may be applied to extensions to listed buildings or to properties in Conservation Areas where these need consent."* The now proposed narrower extension would not have the unwanted appearance of an 'add on' whilst minimising any risk of dominance.
10. However, I agree with the Council, their Conservation Officer and Colston Bassett Parish Council that the proposal to increase the ridge height of the extension to match the height of the main roof of the house is unacceptable. It may be there is no specific planning policy requiring an extension to a dwelling to have a lower ridge than that of the original dwelling. But most local planning authorities provide such guidance to aid or ensure good design.

Building a large extension to the house at Linden Lea with a ridge to the same height as the main roof would reduce the dominance of the main house and, at least in part, fail the extension's test of subordination to the main house. The house is moderately well screened from the fronting School Lane. But I consider that some small, but material harm would be caused to immediate visual amenity in this part of the Conservation Area by the addition of the amended extension scheme to the house at Linden Lea. The modified scheme would not meet the requirement contained in The Planning (Listed Buildings and Conservation Areas) Act 1990 which at s.72(2) says special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

11. It is unclear whether the increased ridge height is necessarily integral to the reduced length extension scheme. In that instance I cannot divide these 2 elements of the extension proposal. As I find the increased ridge height of the amended extension scheme unacceptable, I dismiss the appeal to vary Condition 2 (Approved plans) and Condition 5 (First floor windows) to planning permission 22/01671/FUL.

Conclusion

12. For the reasons outlined above, the appeal is dismissed.

John Whalley

INSPECTOR