



Appeal Decision

Site visit made on 5 March 2024 by Andreea Spataru BA (Hons) MA MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 April 2024

Appeal Ref: APP/W3005/D/23/3336074

172 Moor Road, Papplewick, Nottinghamshire NG15 8EQ

- 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 and Mrs Daryn and Katrin Wilson-Horn against the decision of Ashfield District Council.
 - The application ref is V/2023/0252.
 - The development proposed is described as extensions and alterations to existing dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The effect of the proposal on a) the character and appearance of the area; and b) the living conditions of the occupiers of No 170 Moor Road.

Reasons for the Recommendation

Character and Appearance

4. The appeal building is a two-storey detached dwelling set back from and facing the road, partly screened by trees and amid a mix of bungalows and two-storey dwellings of traditional forms and materials. Others are also set back from the road and have low or/and soft front boundary treatments. The consistency of the siting of dwellings and their front boundaries contribute positively to the openness of the street scene.
 5. The proposal would remove and alter some of the original features of the host dwelling, including its chimneys, the front bay windows, and the window header detailing. The materials, window style and placement will also be altered to adopt a modern style. Furthermore, the proposed extensions would significantly increase the mass of the dwelling, particularly to the side, and due to their overall scale and siting would result in disproportionate additions that would fail to appear subservient to the host dwelling. Given the large size of the plot, the proposal would not lead to an overdevelopment of the site. However, the cumulative changes would alter the form and materials to such a
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- degree that would be detrimental to the character and appearance of the host dwelling, adversely affecting the pleasantness of the area's consistency.
6. Whilst the appeal dwelling is larger than its adjoining neighbouring bungalows, its current form and materials blend it into its surroundings. Notwithstanding the set back from the road, the proposed alterations, particularly due to the significant increase in the mass at the first-floor level, the materials, and the overall form would make the dwelling appear overly prominent within the street scene and out of keeping with the neighbours, to the detriment of the locality.
 7. Given its location, the proposed access gate would have a prominent position within the street scene. Due to its height and materials, the gate would have a hard appearance, and would jar awkwardly in contrast with the open and verdant character of the street scene. Accordingly, it would appear as an incongruous feature that would be detrimental to the character and appearance of the street scene. Notwithstanding some variety in terms of boundary treatments in the area, the low or soft form thereof within close proximity to the appeal site provide a far stronger context therefore. The high render posts and timber gates would appear as an alien and unsympathetic feature therein.
 8. Although some modern elements have been adopted in the other examples cited which are part of the street scene, they do not define its general character sufficiently to make the scale and extent of them on the appeal building acceptable. Moreover, I do not have full details of them. In any event, I have considered the development on its own merits and site-specific circumstances.
 9. There are no listed buildings nearby and the appeal site is not in a conservation area, but this would not lessen the harm I have found. In light of this and the above, the proposal would adversely affect the character and appearance of the area. Accordingly, it would conflict with Policies ST1 and HG7 of the Ashfield Local Plan Review 2002 (ALPR) which require, amongst other things, for developments not to adversely affect the character, quality, amenity or safety of the environment and that extensions or alterations to existing residential properties specifically will be permitted where they will not adversely affect the visual amenity of the locality.
 10. There would also be conflict with the Residential Extensions Design Guide Supplementary Planning Document 2014 (SPG) which explains that extensions should be subordinate to the host dwelling in terms of size, massing, and siting. The roof style and materials should also complement the existing dwelling.

Living Conditions

11. The first-floor balcony on the rear elevation of the two-storey side extension would be in proximity of the boundary shared with No 170. Notwithstanding the small projection of the balcony and the proposed balustrade, due to the limited separation distance between the appeal site and No 170's garden, these elements would be insufficient to prevent overlooking from those stood on the balcony towards the private amenity space of No 170. The existing levels of screening, such as the vegetation and the neighbouring dwelling's garage, would not be sufficient to mitigate the harmful increase in the levels of

overlooking, which would be detrimental to the living conditions of the occupiers of No 170.

12. No 170 has a window on its southern side elevation, which appears to be obscure-glazed, and thus not serving a habitable room. The two-storey side extension would have a window at the first-floor level, on the northern side elevation, which would serve a dressing room. Given the non-habitable use of these rooms and the location of the proposed first-floor side window in relation to No 170's garden, the window on the side elevation of the two-storey side extension would not increase the levels of overlooking to a detrimental degree towards No 170.
13. The two-storey element of the proposal would only slightly project beyond the rear elevation of No 170; the extension would not project beyond the front elevation of No 170. Notwithstanding its height and location to the south of the bungalow, given its siting and the levels of screening between the properties, the proposal would not appear overbearing when viewed from No 170 and would not increase the levels of overshadowing to a detrimental degree for the occupiers of thereof.
14. That aside, and particularly because of the introduction of the balcony, the appeal scheme would cause unacceptable harm to the privacy of the occupiers of No 170 Moor Road. This would be detrimental to their living conditions and contrary to Policies ST1 and HG7 of the ALPR. These policies seek to ensure that developments protect the residential amenity of neighbouring properties.

Conclusion and Recommendation

15. The appeal scheme would conflict with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

John Morrison

INSPECTOR