



Appeal Decision

Site visit made on 17 June 2024

by H Marriott MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th July 2024

Appeal Ref: APP/A3010/D/24/3343088

10 Westminster Close, Worksop, Nottinghamshire S81 0PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) 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 is 23/01377/HSE.
 - The development proposed is '2 storey, front and side extension in materials sympathetic to the character of the street. Development is set behind the build line, protected by and in line with historic development in the wider surroundings of 7/9 Winchester Close, Worksop'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since issuing its decision notice and submission of the appeal, the Bassetlaw Local Plan 2020-2038 (29 May 2024) (BLP) has been adopted. This supersedes the Bassetlaw District Local Development Framework Core Strategy and Development Management Policies DPD, adopted December (2011) (CS) and Policy DM4 of the CS. The Council have confirmed that the appeal proposal should now be assessed against Policy ST33 of the BLP. As both parties have commented on the relevance of this policy change, I have determined the appeal on the basis of most relevant development plan policies.
3. I am aware of a previous appeal decision (Ref: APP/A3010/D/22/3305933), to dismiss a two-storey side extension and porch at the appeal site (the 2023 decision). While the proposed development before me is different, the appeal site and wider context has not materially altered. The 2023 decision is a material consideration in this appeal and I have used the same main issue and site description to inform my own.

Main Issue

4. The main issue is the effect of the proposed development on the surrounding area.

Reasons

5. Westminster Close is a cul-de-sac fronted by two-storey semi-detached dwellings with bungalows located closest to the turning head. The dwellings are set behind front gardens and have a slightly staggered alignment corresponding to the gentle curve in the road. Whilst there have been some physical alterations including garage/porch additions to some of the dwellings in the

vicinity, the street scene has a cohesive character and appearance, informed by the consistent material palette, plot rhythm and balance between semi-detached pairs with gaps between.

6. The appeal site (No 10) forms one half of a semi-detached pair fronting Westminster Close. No 10 and its attached neighbour (No 12) have an overall balance and sense of symmetry due to their similar form and materials. This is further accentuated by their similar fenestration which includes a strip of cladding which spans the front elevation of both dwellings. The unified appearance of the attached pair makes a positive contribution to the cohesive character and appearance of the area.
7. In the 2023 decision, the previous Inspector found that by virtue of its scale and significant forward projection, the proposed development would result in an alien feature within the street, eroding its character and appearance. The appellant has sought to overcome the previous Inspector's concerns, by reducing the extent of projection of the proposed front extension. The Council has calculated that reduction to be some 0.26 metres, which has not been disputed by the appellant. Whatever the precise figure, the reduction in forward projection would be small and the overall scale and dominating impact the proposed extension would have, would not be satisfactorily overcome. Indeed, the current proposal would similarly extend the dwelling forward and to the side, filling the gap to the boundary with No 8 Westminster Close (No 8).
8. Even though it would not project forward of the front elevation of No 8, the current scheme still proposes to match the ridge height of the host dwelling and introduce a front facing gable. Therefore, the proposed development would dominate the host dwelling and unbalance the existing pair of semi-detached dwellings. Even if the impact of the proposed development would be relatively localised, and materials could be controlled by a suitably worded condition, the proposal would nonetheless undermine the cohesive character and appearance of the wider street scene. Overall, the revised proposal before me is not materially different to the concerns identified by the previous Inspector in the 2023 decision.
9. I conclude that the appeal proposed development would be harmful to the character and appearance of the surrounding area. Conflict therefore arises with BLP Policy ST33 insofar as it seeks to ensure that all development is of a high-quality design that respects the local context and complements the surrounding area. The proposed development would also be contrary to the National Planning Policy Framework (2023) as a whole, which states that enhancement of our built environment is fundamental to the environmental objective of sustainable development; and requires decisions to ensure that development adds to the overall quality of the area, are visually attractive and sympathetic to local character in order to achieve well-designed and beautiful places.
10. The proposed development would also fail to accord with the guidance in the Successful Places Supplementary Planning Document (2013) and the National Design Guide (2021), which seek to ensure buildings provide a visually harmonious composition; be informed by their context; and achieve well designed places.

Other Matters

11. I also note that other front extensions might have been approved by the Council elsewhere, a number of which were already considered by the previous Inspector. Similarly, I do not know the planning circumstances of the examples given, nor whether they were approved under the same planning policy context. Indeed, I saw for myself the front extensions to Nos 9 and 11 Westminster Close are single storey and therefore differ materially from the appeal scheme. I also observed that the two-storey front gable extensions at Nos 7 and 9 Winchester Close, do not appear to project as far forward as the current proposal would. As far as I could see, the other two-storey extensions cited elsewhere on Westminster Close and Winchester Close were side not front extensions; while the two storey front gables extensions to dwellings on a 'holding in Larwood' and No 17 Ashley Court are on streets further away that do not share the same characteristics as Westminster Close.
12. In any event, the principle of alteration and extension at the appeal site is not in dispute, rather it is the scale and form that would not be good design and consequently cause harm to the character and appearance of the area. Therefore, even if front extensions have been approved elsewhere, there is no precedent that justifies the harm identified. Nor does the signed statement of support signed by some residents of Westminster Close.
13. The appellant states that the Council has not provided clear design expectations and that policy and guidance has been interpreted too restrictively. I have taken into account the Framework, including the encouragement it gives for innovation and change. However, the proposal would not beneficially achieve these aims nor satisfy local and national design guidance that seek to achieve well designed places. Even if the Council had more detailed house extension guidance, I am doubtful that it would justify the harm the previous I and the previous Inspector concluded. These matters therefore carry very little weight in favour of the appeal.
14. The appellant has made extensive representations relating to the Council's handling of the planning application and stated that favourable comments were made verbally at pre-application stage. Regardless, the Council is not bound by the informal comments made at pre-application stage, nor am I. Moreover, the Council's scheme of delegation and referral to its Planning Committee is not a matter for me in deciding this appeal. Whilst noting the appellant's frustration in this regard and in relation to lack of specific reference to balance of semi-detached policies and subservient ridge height in policy wording, decisions must be made in accordance with the development plan. I have therefore made my decision based on the merits of the proposal, the most relevant local and national planning policy and my own planning judgement.

Conclusion

15. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

H Marriott

INSPECTOR