



Appeal Decision

Site visit made on 7 October 2024

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2024

Appeal Ref: APP/P3040/D/24/3351739

38 Ashley Road, Keyworth, Nottinghamshire NG12 5FJ

- 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 Andrew Smith against the decision of Rushcliffe Borough Council.
 - The application Ref is 24/00664/FUL.
 - The development proposed is loft conversion to include a dormer extension to rear roof, raise ridge height and add one roof window to front roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the appeal proposal on the character and appearance of the host property and the surrounding area.

Reasons

3. It is proposed to raise the ridge of the bungalow's roof by extending the front roof plane towards the rear in order to achieve the required head height for a rear dormer window and energy efficient roof insulation. However, the increase in height would not extend across the whole width of the roof. This would lead to an incongruous roof design which would not be sympathetic to the character and appearance of the host property and it would be highly visible in the street scene.
4. The flat roof of the proposed rear dormer would join onto the extended ridge line. None of the roof plane would be visible above the dormer and only a limited amount of roof would be visible at its sides. The face of the dormer would extend vertically from the rear wall of the property, notwithstanding that there is an existing rear extension. This design would result in an overly boxy appearance which would overwhelm the rear roof of the bungalow. The visual effect of the small, existing dormer window is not comparable to the impact of the much larger dormer proposed in this appeal. Furthermore, the proposal would conflict with the detailed design requirements of the Council's Residential Design Guide SPD (2009) (SPD) which specifically states that dormer windows should be in proportion to the building, should not dominate the roof space, including by reaching the ridge line or extending vertically from the rear wall of the property.

5. There is diversity of design, including other roof level developments, in the surrounding and wider area. I have no evidence about the planning policy context at the time of the construction of the dormer windows referred to, or about whether they amount to 'permitted development'. However, the existence of poor design is not in itself a good justification for permitting further unacceptable development. The appeal proposal has been determined on its own individual merits and found to be of insufficiently high design quality.
6. It appears to me that the relationship of the appeal bungalow with its neighbours may well provide scope to raise the height of the roof and provide sustainable, energy efficient insulation without harming the appearance of the bungalow and the street scene. The appellant suggests amendments to the scheme. However, I am required to determine the scheme that was before the Council when it made its decision.
7. Whether or not the proposed development or a similar scheme could be constructed under 'permitted development rights' is not before me, as the appeal relates to an application for planning permission. Whilst there were no objections to the proposal from neighbouring occupiers and the Council considered other aspects of the proposal to be acceptable, these factors do not outweigh the identified design matters. The appellant raises concerns about the Council's approach to the determination of the planning application and the failure to request design amendments. This is a matter more appropriately addressed by the Council's own internal processes.
8. For the reasons set out above, I conclude that the proposed development would not amount to high quality design and would harm the character and appearance of the host property and the surrounding area. It would therefore be contrary to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy, Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies, the detailed SPD guidance and the design objectives of the National Planning Policy Framework.
9. Having regard to all other matters raised, the appeal is dismissed.

Elaine Benson

INSPECTOR