



Appeal Decision

Site visit made on 31 July 2025

by **A. Graham BA(Hons) MA**ed IHBC

an Inspector appointed by the Secretary of State

Decision date: 19 August 2025

Appeal Ref: APP/J3015/D/25/3367419

77 Maple Drive, Nuthall, Nottinghamshire NG16 1EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Salmon against the decision of Broxtowe Borough Council.
 - The application Ref is 25/00185/FUL.
 - The application is for proposed alterations to existing garage to facilitate habitable use. Along with modifications to roof structure, including hip to gable adjustment and partial ridge height alteration, to enable habitable use of loft space.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to existing garage to facilitate habitable use. Along with modifications to roof structure, including hip to gable adjustment and partial ridge height alteration, to enable habitable use of loft space as per application ref: 25/00185/FUL subject to the conditions as outlined in the schedule below.

Procedural Matter

2. The description as used by the Council differs from that used on the appellant's original application form. As such, I have used this description as it better reflects the proposed changes before me.

Main Issues

3. The main issue is the effect of the proposal upon the living conditions of neighbours and the character and appearance of the area.

Reasons

4. The appeal property is a detached bungalow with conical hipped roof and a single storey pitched roof outshot and flat roof double garage to the side. Although the property's address is associated with Maple Drive, and this is where access is taken from, the plot is on a corner and is seemingly also associated with the main road, Kimberley Road, onto which the bungalow effectively faces towards with a bay window and double fronted elevation behind a low brick wall.
5. Despite this, the property occupies an unusual corner plot that is triangular in shape. This ensures that the plot is widest towards Kimberley Road and narrows to a point farther along Maple Drive. This gives the plot a rather awkward shape. Much of the boundary along Maple Drive is bounded by a tall fence and hedge and as such only the pitch of the roof is easily visible from this street.

6. The overriding context of the site is one of mixed suburban housing, the oldest of which aligns Kimberley Road, which is the main thoroughfare. Kimberley Road contains a mix of largely early suburban houses and bungalows some sporting hipped roofs, some with gable roofs and Mock Tudor decoration. Properties along Maple Drive are of a later suburban form and also contain a mix of styles, including several gable roof bungalows.
7. The closest neighbour to the proposal is number 16 Kimberley Road which is a sizeable detached, bow fronted house that sports a two storey conical roof and gable feature to the side overlooking the appeal site. This gable has two windows, one to the ground floor level and one to the first floor that I believe serve habitable rooms. This building sits in a good sized plot and the nearest part of number 16 to the appeal site is a double garage that extends in this direction. There is also a slight change in level between the plot of number 16 and the appeal site to which number 16 is higher.
8. The proposals before me intend to alter the conical hipped roof to form a simple pitched roof with gables at either end. These gables would face onto Maple Drive and the rear boundary adjacent to number 16 Kimberley Road. On the roof slope facing onto Kimberley Road there would be two modest scaled pitched roof dormers facing onto the main road here and serving new bedrooms in the loft space.
9. The second element would extend above the existing rear outshut, and this would slightly raise the ridge height of this extension to create habitable space above with a gable window facing north. There would also be a very modest extension to the front that the Council considers acceptable. The existing garages would be converted to habitable space with bi-fold type doors facing towards the boundary of Maple Drive.
10. There is also a very modest rear extension proposed that would infill an existing gap to the rear of the existing building and serve a dining room extension to the ground floor. It appears that this infill would be of a flat roof design.
11. I am aware of the requirements of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019) that seek to ensure good design that is responsive to the living conditions of neighbours and in these respects, they reflect the National Planning Policy Framework (The Framework).
12. In assessing the plans before me, I am unable to see how this proposal would so vastly increase the size of the existing dwelling, or represents such poor design, so as to contravene these policy requirements or the Framework itself. Indeed, the character of the property would change somewhat from what appears as a modest, pitched roof, chalet type bungalow to one that is a slightly larger, gabled bungalow, but this, to my mind, does not necessarily represent a poor design response.
13. Although the dormers to the side roof slope would be very slightly wider than a traditional pitched roof dormer, the proposal aligns them with the ground floor windows and the pitch would considerably soften their appearance. Although they would be visible from Kimberley Road, I do not consider that such pitched roof dormer windows would be at odds with such a context when seen from this main road. Moreover, the raise in ridge height to the rear extension would not be overly

noticeable from Maple Drive. Indeed, the proposed side gable would be articulated with a linear slot window that would actually add interest to the streetscene here.

14. Although I saw on my site visit several bungalows with hipped roofs, I also saw many such houses with gable roofs. As such I cannot confidently assert that a pitched roof gable would be at odds with the character of the area.
15. Coming to the relationship with number 16 Kimberley Road, I saw on my site visit that there is not only a change in level between these two plots, but also that the distance between the appeal property and the side elevation of number 16 is very generous. As such, despite the proximity of the appeal property to the boundary here, there is a wide driveway between the two houses which enables adequate space between dwellings to remain. Bearing in mind therefore this change in level the actual difference in height would be not much greater than that of the ridge to the existing double garage at number 16 Kimberley Road.
16. Moreover, although there are two windows within the side/rear gable of number 16, these windows face onto the rear of the appeal property and as such there would be no main windows facing directly onto the gable end elevation. As such, although this proposal would represent a modest change in circumstances here in terms of outlook, I do not feel that such an alteration would harm the living conditions of those at number 16 to such a degree as to justify a dismissal of this appeal.
17. There is the potential of a small amount of overlooking to the rear corner of the garden of 16 Kimberley Road caused through the proposed loft room above the extended rear outshut. This element includes a floor to ceiling window that would face in this direction. However, any views would be set well away from the boundary fence and any overlooking would be oblique. Even so, the Appellant's have suggested that this window could be obscured glazing and, were this provision to be conditioned I consider that any possibility for harmful overlooking would be removed.
18. Ultimately the proposals before me are not of a poor design nor are they out of context with the local area. Although the proposal would represent a slight change in circumstances for those residents at 16 Kimberley Road, the proposal would not affect the living conditions of residents here to any great extent. As such the policy requirements of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019) have been met as have the requirements of the Framework itself.

Conditions

19. I have applied the standard conditions as suggested by the Council, that are concerned with the requirement for the permission to be undertaken in accordance with the approved plans, as well as the usual time limit requirements and details of materials to match the existing. I have also added an extra condition as suggested as being acceptable in the Appellant's statement, that the side first floor window facing north towards the rear garden of 16 Kimberley Road be obscure glass. This is to further protect the living conditions of neighbours here.

Conclusion

20. The proposal would not cause significant harm to the living conditions of those at number 16 Kimberley Road nor would this proposal represent poor design response within this area. As such, and for the reasons given above I allow the appeal subject to the conditions as set out below.

A Graham

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: A3.02 Proposed Block Plan, A3.04 Proposed Ground Floor Plan, A3.05 Proposed First Floor Plan, A3.06 Proposed Front Elevation, A3.07 and A3.09 Proposed Side Elevation, A3.08, Proposed Rear Elevation, A3.10 Proposed Roof Plan.
4. Notwithstanding the approved plans, the gable end window serving bedroom 2 shall be glazed in an opaque glass and shall remain such unless otherwise agreed by the Local Planning Authority.