



Appeal Decision

Site visit made on 24 July 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal Ref: APP/A3010/W/25/3364706

Homelands, 8 Sutton Lane, Sutton Cum Lound, Nottinghamshire DN22 8PY

- 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 Mrs Anita Denman against the decision of Bassetlaw District Council.
 - The application Ref is 25/00066/FUL.
 - The development proposed is erection of detached two bedroom dwelling on land adjacent to 8 Sutton Lane.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area; and,
 - the living conditions of the occupants of 8 Sutton Lane, with particular reference to outlook, privacy and sunlight and daylight, and the occupants of 12 Sutton Lane, with particular reference to privacy.

Reasons

Character and appearance

3. The proposal seeks to sub-divide the existing residential curtilage at 8 Sutton Lane (No 8) to create an additional plot for a new dwelling. The appeal site lies within a predominantly residential area featuring a mix of house types including detached, semi-detached, single- and two-storey buildings. Houses are constructed from various materials, predominantly red brick or pale-coloured render with either slate, concrete or clay-tiled roofs.
4. The appeal site is a short distance from the historic centre of the village and the junction of Sutton Lane, Town Street and Station Road where the street widens to form a small green. From the green to 12 Sutton Lane (No 12), properties form a distinct group that follows the curve of the road along a broadly consistent building line.
5. Within this group, Nos 8 and 12, either side of the appeal site, are of similar scale and oriented with their gable ends facing the road, allowing for deep south-facing elevations at right-angles to the road. In each case these elevations outlook onto private amenity space primarily used for access to the dwelling, vehicle parking and access to garages set toward the back of each plot.

6. In summary, properties along Sutton Lane near the appeal site are generally evenly and well-spaced. Despite variety in building forms, materials, orientation, and siting, with for example some dwellings located close to their boundaries or set back in their plot, development in the area retains a strong rhythm and overall, there is a consistent, well-balanced and spacious feel.
7. The development would occupy the space between Nos 8 and 12. The proposed dwelling would be stepped back from the established building line and it would be on a contrasting orientation to the buildings to either side. As such, the proposed dwelling would appear arbitrarily sited and at odds with the established pattern and line of development. Furthermore, the development would disrupt the rhythm and balance of development within the group of houses and significantly reduce the sense of openness.
8. Taking the above factors in combination, I therefore conclude that the proposed development would have a cramped appearance and would be an incongruous and disruptive addition to the street scene. Hence, the scheme would be harmful to the character and appearance of the surrounding area in conflict with Policy ST33 of the Bassetlaw Local Plan 2020-2038 (May 2024) (the LP) which seeks, among other things, to ensure development is of high quality, respects local context and complements the layout, orientation and massing of the surrounding area.
9. In addition, the proposal would be contrary to Policies 1 and 6 of the Sutton cum Lound Neighbourhood Plan 2016-2031 (March 2021) (the NP) which seek to ensure development of infill sites enhances distinctiveness and character by integrating with the existing settlement pattern and retaining openness.

Living conditions

10. The proposed dwelling, although smaller in scale, would not be sufficiently distanced from the windows and the entrance door to the south-facing elevation of No 8 as to avoid an overbearing effect on the outlook from No 8.
11. Furthermore, the proximity and position of the proposed dwelling to the south of No 8 would reduce daylight and sunlight to the ground floor rooms of No 8. The appellant has submitted a plan aiming to demonstrate that the proposed development would not cause overshadowing or loss of daylight to No 8. However, the information on this plan is unclear and inconclusive. Therefore, I have applied my own planning judgement on this matter and find that the proposed development would result in a harmful effect on the living conditions of occupants of 8 Sutton Lane due to loss of daylight and sunlight.
12. The appellant has stated that the rooflight to the habitable room on the first floor of the proposed dwelling facing No 8 will be positioned a minimum of 1.7m above floor level to avoid any overlooking of habitable rooms within No 8. However, this does not align with the plans which show the glazing to extend below the line indicating 1.75m ceiling height. Glazing to the dormer would similarly extend below this line. Therefore, based on the plans before me there would be direct intervisibility between habitable rooms in the proposed dwelling and No 8 at very close range.
13. The use of obscured glazing could reduce overlooking, but while Bedroom 1 would additionally have large windows to the rear offering alternative outlook, Bedroom 2

would only have a rooflight. I consider this arrangement would fail to provide acceptable living conditions for occupants of the proposed dwelling. As such, the proposed development would result in an unacceptable loss of privacy for the occupants of No 8.

14. For similar reasons, the rooflight to a habitable room facing No 12 would enable direct overlooking of the garden to No 12 at close range. Hence, the proposed development would result in an unacceptable loss of privacy for the occupants of No 12.
15. I note the concerns expressed by an interested party regarding overlooking of the garden to No 12 from the first-floor balcony to the proposed dwelling and the proximity of the side entrance door to the garden of No 12. However, I am satisfied that the orientation of the balcony and its recessed form would not result in a loss of privacy to occupants of No 12. The proximity of the proposed development to No 12 is not uncommon in residential areas and the effect of everyday comings and goings to the side entrance door would not give rise to significant noise or nuisance beyond what already occurs given the current proximity and use of the site as garaging. Notwithstanding, this does not alter my conclusions that the proposed development would result in harm to the living conditions of occupants of neighbouring properties
16. For the reasons given above, I conclude that the proposed development would have a harmful effect on the living conditions of occupants of Nos 8 and 12. Therefore, the proposed scheme would be contrary to Policy 46 of the LP which, among other things, requires development to avoid significant adverse effects on the living conditions of existing and new residents through loss of privacy, excessive overshadowing and overbearing impacts.

Other Matters

17. The appellant has drawn my attention to other development in the surrounding area. I have taken this into account, so far as I am able, based on the information before me. However, the development of 9 detached houses to the west of Sutton Lane is in marked contrast to the infill development before me. While the proposed development off Mattersey Road may constitute similar development I have been provided with limited information in relation to this development such that I cannot conclude that it is directly comparable to the appeal before me. In any event, each scheme must be considered and determined on its own merits.
18. I also acknowledge the matter of dispute regarding the boundary between No 8 and No 12. However, I have based my decision on the plans before me. Ownership issues are a private matter between relevant parties and not within my jurisdiction.
19. The appellant asserts that the proposed development would make effective use of underused garden land. However, given the cramped nature of the scheme and harmful effects I have identified above, I do not consider this to be the case. Furthermore, any biodiversity gains resulting from the scheme, even if secured by condition, would be slight and any such benefit would not outweigh the harm I have found.
20. Set against the identified harm, there would be limited social and economic benefits associated with the proposal. An additional unit, even where it would meet

the need for smaller housing units identified in Policy 2 of the NP, would make little difference to the overall supply of housing and the support one extra household would provide to the local economy would also be insignificant. As such, the benefits, as described above, would be slight and would not be sufficient to outweigh the harm I have found and the resulting conflicts with the development plan.

Conclusion

21. The proposal conflicts with the development plan when it is read as a whole 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 the appeal should be dismissed.

C Mayes

INSPECTOR