

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	21/00364/FUL
LOCATION:	48 Wadsworth Road, Stapleford, Nottinghamshire, NG9 8BD
PROPOSAL:	Retain raised patio and fencing and erect canopy

APPEAL ALLOWED

The application was recommended for planning permission at Planning Committee on 2 February 2022. The Committee resolved to refuse planning permission for the following reasons:

- 1. The development as constructed would have an unacceptable impact on the amenity of the occupiers of 50 Wadsworth Road in terms of loss of light and by virtue of its overbearing nature, contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).*

The Inspector considered the main issues were the effect of the proposal on the living conditions of the occupant of the neighbouring property at 50 Wadsworth Road, with particular regard to light and visual impact.

The Inspector considered the generous rear gardens at both properties which slope downwards from the house and also took into consideration the fence levels and that due to the difference in land levels between the appeal property that the fence adjacent to the new patio would be a significant height above the patio level.

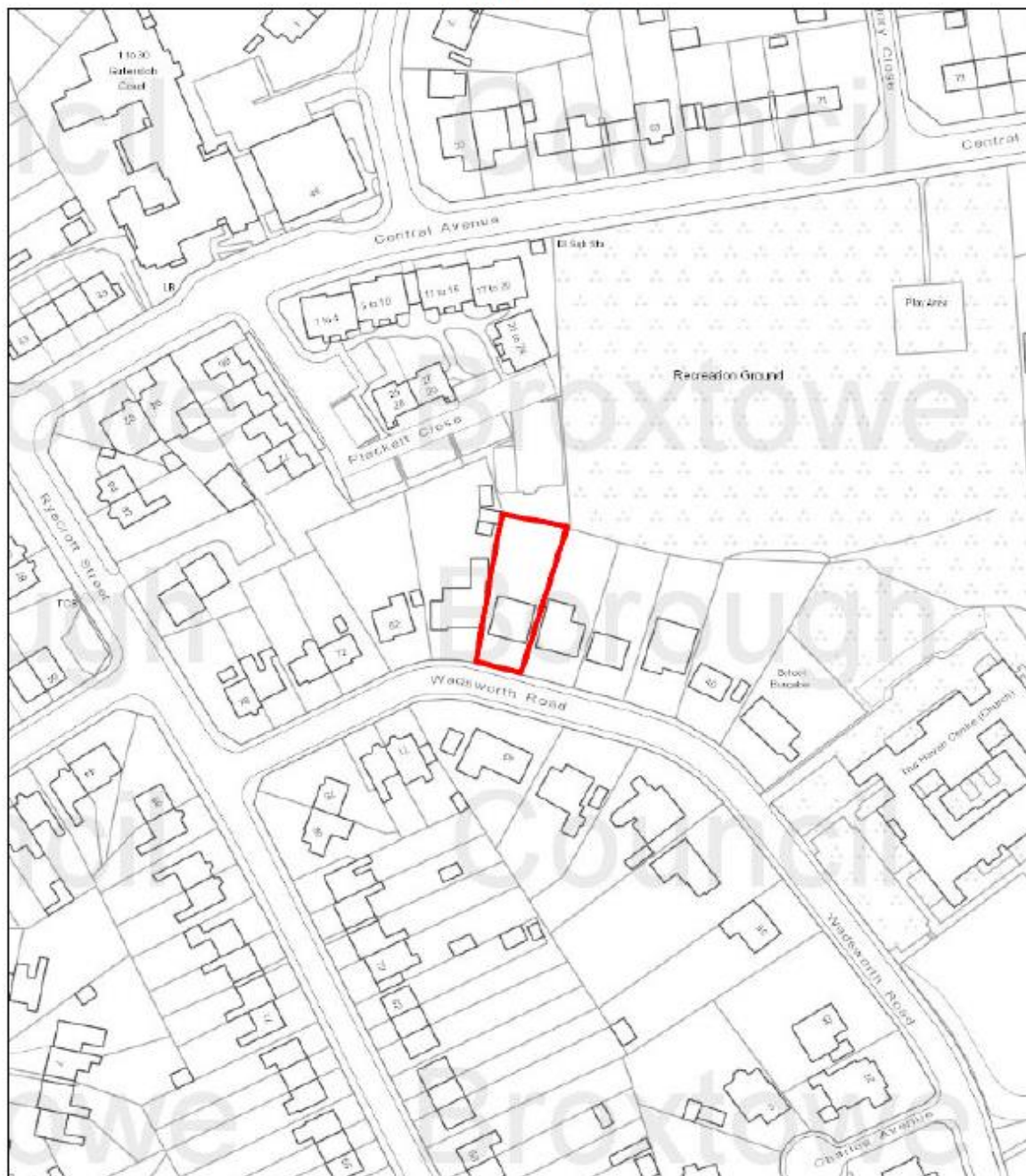
The Inspector considered that the adjacent fence has led to a reduction in light to the eastern side, but the northern, western and roof of the conservatory receive ample light and determined that it does not cause an unacceptable overbearing impact or loss of light to the conservatory. The timber canopy to be built will be open and the inspector concluded that given its positioning and height it will not cause any significant loss of light or overbearing impact to number 50.

It was concluded by the Inspector that for the reasons stated above, Appeal A would not cause harm to the living conditions at number 50 and therefore the proposal is in line with Policy 10 of the Greater Nottingham Aligned Core Strategies (2014) and Policy 17 of the Part 2 Local Plan (2019).

The Inspector upheld the appeal, subject to a condition requiring the development to be carried out in accordance with the approved plans.

21/00364/FUL 48 Wadsworth Road, Stapleford, Nottinghamshire, NG9 8BD.

21/00807/FUL



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 Site

1:1,250
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0 0.01 0.03 0.06 km