

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	21/00704/FUL
LOCATION:	12 Rochester Court, Nuthall, NG6 8WL
PROPOSAL:	Construction of single storey and first floor rear extension

APPEAL ALLOWED

This application was first brought before Planning Committee on 2 February 2022 with a recommendation to grant conditional planning permission. Members deferred making a decision on the application to allow further consideration to reduce the impact on neighbours at the northern boundary. The application was recommended for planning permission at Planning Committee on 30 March 2022. The Committee resolved to refuse planning permission at that meeting for the following reasons:

- 1. The two storey rear extension, by virtue of its scale and location, would create an unacceptable impact on the amenity of the neighbouring property in terms of loss of light and privacy. This would be contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).*

The application Ref 21/00704/FUL, dated 22 September 2021, was refused by notice dated 4 April 2022.

The Inspector considered the main issues to be the effect of the proposed development on the living conditions of nearby residents, with particular reference to privacy, sunlight and daylight.

The inspector has taken into account the location and setting of the adjacent properties as well as the personal circumstances of the occupier of no.19 Springfield Drive. It is important to stress that the personal circumstances of the neighbouring occupier are not considered to be a material planning consideration.

The width of the proposed development would be the same as that of the original house and the first floor element would include bi-folding and sliding doors which would form a large Juliet balcony.

The Inspector considered the proposed development would not cause unacceptable overshadowing or loss of light on neighbouring properties due to the design of the extension. The inspector also considered that the proposed ground floor side window, due to the boundary treatment and number 10's outbuilding would not result in an unacceptable loss of privacy. In regards to the large amount of glazing to the rear elevation, as it would be orientated to overlook the appeal site and would not face towards neighbouring properties it would not have an unacceptable loss of privacy.

The Inspector concluded that having regard to the scale and location of the extension, the proposal would have an acceptable impact on the living conditions of nearby residents in terms of privacy, sunlight and daylight.

Two conditions have been attached specifying the approved plans and materials to provide clarity and to ensure that matching materials are used.

To conclude, having considered the development plan and other relevant material considerations, the appeal is allowed.