

Report of the Chief Executive

APPEAL DECISIONS

Reference number: 18/00257/FUL
Proposal: Construct single storey front and rear extension and two storey side and rear extension (revised scheme)
Site address: 116 Marlborough Road, Beeston, Nottinghamshire, NG9 2HN
Applicant: Mr Shakeel Ahmed

APPEAL DISMISSED

The application proposed the construction of a single storey front and rear extension and two storey side and rear extension. Permission was refused based on the size and design of the extensions being disproportionate to the main property which would have been unduly prominent on a corner plot location and harmful to the character and appearance of Marlborough and Hetley Road. In addition, the height and projection of the two storey rear extension would have been overbearing, an unacceptable impact on the amenity of the occupiers of no. 114 Marlborough Road.

The Inspector considered the main issues to be the effect the proposed extension would have on the character and appearance of the host property and the street scene and the impact of living conditions on the adjoining neighbours, no. 114 Marlborough Road.

Character and Appearance

The Inspector considered that the development would cause a significant loss of spaciousness and openness associated with the junction. Furthermore, that the extensions and gable roof would significantly add to the bulk of the host property and would be a visually prominent addition when viewed from the area adjacent to the junction and along both Marlborough Road and Hetley Road. On this issue, it was concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the street scene.

Living Conditions for no. 114 Marlborough Road

The Inspector considered that the single storey addition to no. 114 Marlborough Road would provide some screening from the appeal scheme. However, when sitting or standing on the patio directly to the rear of no. 114 and elsewhere within the garden, the siting, size and bulk of the appeal scheme would result in a visually dominant and overbearing form of development for these neighbouring occupiers. Accordingly, the proposed development would cause unacceptable harm to the living conditions of the occupiers of no. 114 Marlborough Road.

Conclusion

In conclusion, the Inspector found that the appellant's claims for the need for a five bedroom property did not outweigh the unacceptable harm that was identified and the appeal was dismissed.



Legend

 Site

Reference number: 18/00414/FUL
Proposal: Construct two storey side extension
Site address: 59 Pelham Crescent, Beeston, Nottinghamshire, NG9 2ER
Applicant: Ms J Yang

APPEAL ALLOWED

The application was refused at Planning Committee on 12 September 2018 based on the two storey extension representing an over intensive form of development which was considered to be harmful to the amenity of the surrounding neighbours.

The Inspector considered the main issues to be the impact on the character and appearance of the surrounding area and the living conditions of the neighbouring properties.

Character and Appearance

The Inspector concluded that due to the angled relationship with no. 57 and the separation distance from no. 61, the enlarged property would not appear as a cramped form of development. One parking space was indicated as being retained and the Highways Authority had not insisted upon any additional spaces even if the property was occupied as a family dwelling. The Inspector observed that there was scope to accommodate refuse and recycling containers.

The Inspector stated that due to the front elevation being set back and the set down of the ridge from the main roof, the extension appeared subservient and would not represent a disproportionate addition. The fenestration respected the size and design of the existing openings and the enlarged property would be assimilated into the character and appearance of the surrounding residential area. The Inspector determined that the proposed development would not cause unacceptable harm to the character and appearance of the surrounding area.

The Inspector considered the extension had a similar outlook to surrounding properties that there would not be an unacceptable amount of overlooking caused. It was concluded that were sufficient separation distances to avoid the enlarged property being perceived as an overbearing or visually dominant form of development for the occupiers of neighbouring properties.

Conclusion

The Inspector concluded that the extension was a subservient addition to the main property which had an acceptable design and would not be harmful to neighbour amenity. The appeal was allowed.

COSTS ALLOWED

The Inspector concludes that the reason for refusal does not state why the proposed extension is an intensive form of development and what harm this could cause to the amenity of surrounding neighbours. In addition, although parking, refuse and the diversity of the area are mentioned in the Minutes, these matters are not specifically identified in the reason for refusal as causing actual harm.

In conclusion, due to the Council's generalised, vague and unsubstantiated reason for refusal, the application for full costs was allowed as the Council had demonstrated unreasonable behaviour.



Legend

 Site