

Report of the Interim Chief Executive

Appeal Decision

APPLICATION NUMBER:	25/00214/FUL
LOCATION:	18 Garton Close Chilwell Nottinghamshire NG9 4GH
PROPOSAL:	Double storey side extension

APPEAL ALLOWED**RECOMMENDATION BY OFFICER – REFUSAL****REASON FOR REFUSAL**

- 1. The proposed extension, by virtue of its scale, massing and design, would create an incongruous appearance within the street scene and be overly dominant on the property. Therefore the proposal would be contrary to Policies 10 of the Broxtowe Aligned Core Strategy (2014), Policies 17 of Part 2 Local Plan 2019 and section 139 of the National Planning Policy Framework.*
- 2. The proposed extension, by virtue of its scale and massing, would create a negative impact on the neighbouring property with regards to loss of light and creating an unacceptable overbearing impact. Therefore the proposal would be contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of Part 2 Local Plan 2019.*

LEVEL OF DECISION: DELEGATED

The inspector considered the main issues to consider were:

- The character and appearance of the area and
- The living conditions of neighbouring occupiers with particular regard to outlook and light.

The proposed development is for two storey side extension to an end terrace dwelling creating a large family room on the ground floor and two double bedrooms, shower room and landing to the first floor. The extension will allow for the creation of a five bedroom dwelling.

The Inspector noted the plot has a generous garden wrapping around the dwelling and the proposed two storey extension would not project forward or behind the existing elevations with the ridge and eaves height being lower than the host dwelling.

The Inspector noted the proposed extension would represent a relatively modest addition to the block of dwellings and would not appear dominant when seen from

the street scene. The use of matching materials would further ensure that the proposal assimilates with the local vernacular.

The Inspector noted that planning permission was granted in January 2025 for a one and half storey side extension, extant permission 24/00751/FUL refers, with a similar footprint and ridge height. The Inspector noted the fall-back position within the appeal decision could be implanted should the appeal fail.

In relation to the living conditions the Inspector noted the position of the proposed extension in relation to the neighbouring properties and their amenity areas. The Inspector noted there may be some additional built form in outlook from No 33 but given the distance between the proposal and the garden area and orientation there would be marginal increase in shadowing in the morning. Consequently, acceptable levels of light would be retained to the garden, conservatory and windows at No 33.

The Inspector considered the proposal to comply with Policies 10 of the Greater Nottingham Aligned Core Strategies Part 1 Local Plan (Part 1 LP) (2014) and Policy 17 of the Broxtowe Borough Council Part 2 Local Plan (Part 2 LP) (2019).

The Inspector allowed the appeal subject to the conditions below.

Conclusion

For the reasons given above the appeal was allowed with the following conditions:

The appeal is allowed and planning permission is granted for a double storey side extension at 18 Garton Close, Chilwell, Nottinghamshire NG9 4GH in accordance with the terms of application, Ref 25/00214/FUL, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (1:1250) - dated 18/03/2025, Proposed Development - D301 Rev B - 18/03/2025, and Existing and Proposed Floor Plans - D103 Rev B - 18/03/2025.
- 3) The external materials of the development hereby permitted shall match those used in the existing dwelling