

Report of the Chief Executive

Appeal Decision

APPLICATION NUMBER:	25/00721/FUL
LOCATION:	5 Karen Gardens Chilwell Nottinghamshire NG9 5DX
PROPOSAL:	Construct a two storey rear extension and single storey side extension

APPEAL DISMISSED

RECOMMENDATION BY OFFICER – REFUSAL

DELEGATED DECISION

REASONS FOR REFUSAL –

1. The proposed development, due to its design, scale and massing and orientation, would appear unduly prominent within the street scene and would fail to respect the character of Karen Gardens. The proposed development would therefore be contrary to the aims of Policy 10 of the Aligned Core Strategy (2014), Policy 17 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.

LEVEL OF DECISION: WRITTEN REPRESENTATIONS

The inspector considered the main issues to consider were:

- The impact of the proposal upon the street scene and character of Karen Gardens

REASONS

- The appeal site is a two-storey detached dwelling located within a residential area. The proposal seeks permission for a two-storey rear extension and a single storey-side extension. It is noted that the front elevation, directly facing onto Karen Gardens, is not utilised as the front of the property. The front of the property (in terms of the location of the front door) is located within the side elevation and the submitted plans have been labelled and submitted on this basis. Notwithstanding the orientation of the property in the context of Karen Gardens, and regardless of the labelling of elevations, in basic terms the appeal site occupies a visually prominent position within the street scene.

- The Council's delegated report, and refusal reason, do not raise issue with the principle of development. It is generally accepted that extensions allow for redevelopment and intensification of an existing building plot within a residential area- the refusal reason is based upon design, scale and massing in terms of the street scene and the character of Karen Gardens. I acknowledge that the immediate area is relatively mixed in terms of character and appearance and as a result of property variations, and adjacent new development, but based upon the evidence before me there are no properties within the immediate locality with extensions of this scale and massing to the property frontage. The cumulative proposals would therefore be uncharacteristic.
- The single storey extension would be in a highly visible, and prominent position on the host dwelling and result in an uncharacteristic feature within the street scene. That element would then adjoin a two-storey extension that would protrude from the existing property by the region of 3.5m with a length of 5.1m with an eaves height and ridge height to match that of the host dwelling. The proposed plans show no setback or set down, in terms of the two storey extension which would fail to respect the host dwelling itself. The proposed extensions would, in terms of mass and scale, see a sizeable increase to the host dwelling and would result in the proposal dominating the host dwelling as a result of cumulative development wrapping around the original dwelling.
- The increase in massing, scale and proportions along with the architectural style of the single storey extension, immediately below/up to the first floor windows and the roof design would exacerbate the visual impact of the proposal in the context of the host dwelling giving the overall impression, when viewed within the street scene, of overdevelopment of the plot with the proposal being targeted to the north-northeast of the site which is visually more prominent. The concentration of development as proposed would, given the overall context and size of the plot, result in proposals which would appear cramped at one end of the appeal site when combined with the parking provision in that area of the overall appeal site.
- I note that the appellant outlines that the proposal would provide a modern family home suitable for a growing family on a large plot and, as outlined, the Council are clear that the principle of extension is deemed acceptable and that they consider (as stated within their report) the plot has potential for development, however the proposal as submitted in terms of scale, massing and the matters outlined above would be unacceptable within the street scene and would fail to respect the character of the immediate locality. It is acknowledged that there are no other adverse impacts, however this does not outweigh the unacceptable nature of the proposal in the context of the key issues discussed above.

- The proposed development, due to its design, scale, massing and orientation would appear unduly prominent within the street scene and would fail to respect the character of the immediate locality, including Karen Gardens, where there is no evidence of such extensive extensions on other properties by comparison. The proposal would be contrary to Aligned Core Strategies Part 1 Local Plan September 2014 Policy 10 which requires new development to be designed to make a positive contribution to the public realm and sense of place, reinforce valued local characteristics as well as requiring development to be assessed in terms of massing, scale and proportion as well as materials, architectural style and detailing.
- The proposal would also be contrary to Broxtowe Borough Council Part 2 Local Plan Adopted 2019 Policy 17 which requires development to integrate into its surroundings and paragraph 135 of the National Planning Policy Framework 2024 which outlines that decisions should ensure that developments will function well and add to the overall quality of the area and are sympathetic to local character.

Other Matters

- I note third party comments and observations which have been received during the application process. I have dealt with matters relating to general design and character in the context of the main issue above. The comments raise concern in relation to residential amenity. The Council do not raise any refusal reason based upon residential amenity. I have no reason to conclude differently with regard to loss of light into adjacent gardens nor a sense of enclosure due to the overall distance between the properties and length of gardens albeit I acknowledge the proposed two storey element would be in close proximity to the shared boundary.
- The host dwelling is already inconsistent with more recent development, in terms of building lines, and I do not find, therefore, that the relationship with and building lines of the more recent development in the context of this appeal site would be determinative nor a reason for refusal/dismissal in this case.
- Comments have been received in relation to existing parking arrangements, and I note, from my site visit, that the turning area adjacent, and the road in general, is relatively busy as part of the use of Karen Gardens. Parking would still be available to the front of the site with the property ultimately remaining as a 3 bedroom dwelling. I do not, therefore, have any reason for concern with regard to parking or displacement of parking onto Karen Gardens itself.

Conclusion

For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.