

Report of the Chief Executive

Appeal Decision

APPLICATION NUMBER:	26/00084/FUL
LOCATION:	Land off Vernon Court, Nuthall NG16 1AW
PROPOSAL:	Construct two storey building to provide two flats

APPEAL DISMISSED**RECOMMENDATION BY PLANNING COMMITTEE – REFUSAL****RECOMMENDATION BY OFFICER – APPROVAL****REASON FOR REFUSAL –**

The proposal by virtue of its scale and layout would have an unacceptable impact on the amenity of the occupiers of 137 to 145 Queens Road, in terms of loss of light and privacy and through overlooking, due to the distance to boundaries of the neighbouring properties. The proposal also fails to provide sufficient car parking for the development and would increase on street parking in surrounding areas. Consequently, the development would be contrary Policy 10 of the Broxtowe Aligned Core Strategy 2014, and Policy 17 of the Part 2 Local Plan 2019.

LEVEL OF DECISION: WRITTEN REPRESENTATIONS

The Inspector identified the main issues as being the effect of the proposed development on the living conditions of the occupants of no.14-17 Vernon Court and no.24-32 Vernon Drive, with particular reference to outlook, light and privacy; whether the proposed development would provide acceptable living conditions for future occupants, with regard to sense of enclosure, and the effect of the proposed development on the character and appearance of the area.

- i) The inspector concluded that in terms of the effect on the living conditions of the occupants of no.14-17 Vernon Court and no.24-32 Vernon Drive, the proposed development would not cause a harmful loss of light to no.24-32. However, the development would cause a significant harmful effect on the living conditions of the occupiers of no.14-17 Vernon Court with particular reference to privacy.
- ii) The inspector considered that in relation to the living conditions of future occupants, the proposed development would provide acceptable living conditions for future occupants with regard to sense of enclosure. The development would also provide a satisfactory and adequate level of living conditions for future occupants.

- iii) With regard to the potential impact on the character and appearance of the area, the Inspector found that the proposed development would have an acceptable effect on the character and appearance of the area.
- iv) The inspector concluded that no harm has been identified in relation to the effect of the development on highway safety.

Conclusion

The Inspector found that the proposed development would harm the living conditions of the occupiers of no.14-17 Vernon Court in conflict with policies 10 of the Aligned Core Strategy and 17 of the P2LP.