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## Appeal Decision

Site visit made on 19 October 2021 by Darren Ellis MPlan

**Decision by Chris Preston BA (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 January 2022**

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**Appeal Ref: APP/B3030/D/21/3277279**

**5 Oaktree Drive, Bilsthorpe, NG22 8SL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mr Todd against the decision of Newark & Sherwood District Council.
  - The application Ref 21/00369/HOUSE, dated 12 February 2021, was refused by notice dated 28 May 2021.
  - The development proposed is a two storey side and front extension, addition of first floor over existing bungalow and change of materials.
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### **Decision**

1. The appeal is allowed and planning permission is granted for a two storey side and front extension, addition of first floor over existing bungalow and change of materials at 5 Oaktree Drive, Bilsthorpe, NG22 8SL in accordance with the terms of the application 21/00369/HOUSE, dated 12 February 2021, subject to the following conditions:
  - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing OS Plan & Block Survey Plan drawing no. 210; Proposed Site Plan drawing no. 200 revision A; Proposed Ground Floor Plan drawing no. 201 revision A; Proposed First Floor Plan drawing no. 202 revision A; and Proposed Elevations drawing no. 203 revision C.
  - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on Proposed Elevations drawing no. 203 revision C and on the planning application form.

### **Appeal Procedure**

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### **Procedural Matter**

3. Amended drawings were submitted to the Council during the original application. For the avoidance of doubt, I have based my assessment on these amended drawings: Proposed Site Plan drawing no. 200 revision A; Proposed Ground Floor Plan drawing no. 201 revision A; Proposed First Floor Plan

drawing no. 202 revision A; and Proposed Elevations drawing no. 203 revision C.

### **Main Issue**

4. The main issue in this case is the effect of the proposal on the character and appearance of the area.

### **Reasons for the Recommendation**

5. The appeal site consists of a detached bungalow situated on Oaktree Drive. The street is characterised predominantly by bungalows. The appeal property and the bungalows opposite, Nos 7-21, are all built to a uniform design. However, the appeal property is separated from this group of bungalows on the opposite side of the cul-de-sac, sits in a wider plot and has an existing side extension. Outside of this group, the other bungalows in the street have varying designs, with a couple having dormer windows and the property at No 23 having been extended to provide habitable space in the roof. In addition, when viewed from within the cul-de-sac, No. 5 is seen against the backdrop of slightly taller chalet style dwellings which front onto Kirklington Road.
6. The scale of the extended dwelling would be in keeping the adjacent dwellings at 104 Kirklington Road and Moorside, which have habitable space in the roof. While the design and exterior materials would not match the majority of the properties in the surrounding area, they would provide a modern and attractive appearance to the property. The hipped roof would lessen the visual impact of the increased roof height, and the proposed dormer windows are of a modest scale that would not dominate the roof and would be in keeping with other dormer windows visible from the street. Given the separation of the appeal property from the group of bungalows opposite and the variety in design of the other bungalows in the street, the proposed design and materials would not detract from the street scene despite the prominent position of the property. Moreover, the scale of the extended dwelling would not be disproportionate to the width of the plot which is of sufficient size to accommodate the proposal without appearing cramped.
7. I acknowledge that the proposal does not fully comply with the specific guidance set out in Householder Development Supplementary Planning Document (November 2014) (SPD), which states that side extensions should be set back from the front elevation of the property. However, I note that this advice applies more when there is the risk of a terracing effect, which is not the case in the proposal before me. Nevertheless, the proposal would accord with the overarching aims of the SPD, which include ensuring that additions to dwellings successfully integrate with the host dwelling and its surrounding area, and not restricting contemporary design.
8. Therefore, although the appearance would be different to the bungalows immediately opposite that, of itself, is not an indication of harm. The proposal would be well designed and would not detract from the character and appearance of the area, for the reasons set out above. As such, the proposal would accord with Core Policy 9 of the Amended Core Strategy (March 2019) (ACS), policies DM5 and DM6 of the Development Plan Document (July 2013), and the aims of the SPD. These policies all seek, amongst other things, to ensure that development does not have a detrimental impact on the character and appearance of the area. The proposal would also satisfy the aims of section

12 of the National Planning Policy Framework, and in particular paragraphs 130(b) and (c) which require development to be visually attractive and sympathetic to local character.

#### *Other Matters*

9. I acknowledge the concerns regarding potential overshadowing and loss of privacy to neighbouring properties. However, the modest increase in roof height together with the hipped roof design is unlikely to result in any significant additional overshadowing to neighbouring properties, given the separation distances involved. The front dormer window would not provide any direct views of Moorside, and the majority of the rooflights would be at a high level that would preclude direct overlooking into neighbouring properties. Two rooflights would serve a dressing room which would be unlikely to be used for prolonged periods, thereby avoiding any significant overlooking. Having regard to those matters, and the separation distances to neighbouring properties, a condition to require obscured glazing and/or non-opening rooflights is not necessary.

#### **Conditions**

10. The standard time limit condition and a condition specifying the approved plans are necessary to provide certainty and in the interests of proper planning.
11. A condition requiring the exterior materials to match the details shown on the submitted drawings and application form is necessary to ensure the development does not cause harm to the appearance of the area.

#### **Conclusion**

12. For the reasons given above the proposal conforms to the policies of the development plan and, having had regard to all other matters raised, I recommend that the appeal should be allowed and planning permission granted subject to the conditions listed above.

*Darren Ellis*

APPEAL PLANNING OFFICER

#### **Inspector's Decision**

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis, I agree with the recommendation and shall allow the appeal and grant planning permission subject to the conditions listed above.

*Chris Preston*

INSPECTOR