



## Planning Committee

16 August 2018

## Planning Appeals

### Report of the Executive Manager – Communities

<b>LOCATION</b>	110 Gertrude Road West Bridgford Nottinghamshire NG2 5DB	
<b>APPLICATION REFERENCE</b>	18/00091/FUL	
<b>APPEAL REFERENCE</b>	APP/P3040/D/18/3202111	
<b>PROPOSAL</b>	First floor rear extension, install new first floor window to existing bedroom, convert small bedroom into ensuite and install new window.	
<b>APPEAL DECISION</b>	Appeal Dismissed	<b>DATE</b> 2nd July 2018

### PLANNING OFFICERS OBSERVATIONS

The appeal was concerned with the refusal of planning permission under delegated powers on 08 March 2018. The application proposed a first floor extension over the existing single storey extension to the rear of the property. The main issues considered by the Inspector were the effect of the development on, firstly, the character and appearance of the area and, secondly, the living conditions of the occupiers of 106 Gertrude Road with particular regard to privacy, outlook, sun and daylight.

The Inspector noted the character and appearance of the area with the site located in a street of residential dwellings which are of a varied type, style, scale and design, with ground levels which fall to the rear of the sites, away from the road. The Inspector noted that although there was not wide ranging visibility of the rear ranges at the address, the extension would be visible between the gaps between the house and from the north across 106 Gertrude Road which is a bungalow. The Inspector concluded that whilst the extension sought to ensure it was not perceived as an 'add-on' by matching the eaves and ridge height of the main roof, it would not be subordinate to the host property. The Inspector went on to state that the extension would increase the scale and massing of the dwelling substantially, which would not be a sympathetic form of development.

In regards to the amenity of the occupants of 106 Gertrude Road the Inspector visited and noted the bedroom window to the side elevation, a room where the Inspector considered the occupants may spend a considerable amount of time. The Inspector noted that by extending to the rear at first floor, an elongated two storey brick wall would be formed to

the south-west of No 106's bedroom window and that the proposed roof would add to this overall scale and massing, which would be considerably greater than the existing rear extension and the garage. The Inspector concluded that the extension would harm the outlook from this window, irrespective of whether there was a car parked on the drive of 110 Gertrude Road, or whether any boundary fence were to be erected.

With regard to overshadowing the Inspector noted that morning sunlight would not be impacted, and in the summer sunlight would still reach the window over the proposed extension. However, the Inspector concluded that at other times of the year the extensions siting, scale and massing would impact the amount of light reaching the window. The Inspector suggested that at times this may be the only period of the day when the bedroom receives a good standard of sun and daylight due to the shorter days and the sun's position in the sky. As such, the extension, despite the roof of No 106, would cause overshadowing and it would be overbearing on the occupants of No 106 in terms of their bedroom window.

In regards to privacy, the council had suggested the bedroom window proposed to the first floor side elevation would cause overlooking, and could not be obscure glazed as part of a reasonable condition as it would be the only outlook to a proposed bedroom and would therefore not offer future occupants adequate amenity. The inspector agreed that the clear glazed first floor window serving a bedroom would cause material overlooking to the bedroom window at 106 Gertrude Road. However, it was also considered that the applicant's had offered the possibility of utilising obscure glazing, stating that such a feature could possibly be put in as a permitted development, and could be subject to an appropriate planning condition. The inspector considered such a condition to be reasonable and would prevent overlooking of the bedroom and garden at 106 Gertrude Road.

Given the above, the inspector concluded the appeal should be dismissed.