



Appeal Decision

Site visit made on 21 June 2019 by Andreea Spataru BA (Hons) MA MRTPI

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2019

Appeal Ref: APP/Q3060/W/19/3226228

12 Richborough Place, Nottingham NG8 2RX

- 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 Mrs Yingying Zhang against the decision of Nottingham City Council.
 - The application Ref 19/00079/PFUL3 (PP-07516513), dated 13 January 2019, was refused by notice dated 11 March 2019.
 - The development proposed is described as a detached single garage.
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Decision

1. The appeal is dismissed.

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 Matters

3. This appeal has been considered on the basis of the scheme and the plans which were before the Local Planning Authority. The appellant has suggested alternative schemes for consideration. However, I can only determine the appeal on the basis of the plans considered by the Council, on which the third parties have had the opportunity to comment. The alternative schemes have not therefore been taken into account.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the streetscene; and
 - The effect of the proposal on the living conditions of the occupiers of neighbouring property no 14 Richborough Place.

Reasons for the Recommendation

Character and appearance

5. The appeal site relates to a detached, two-storey dwelling that is located in a cul-de-sac within a predominantly residential area. The appeal dwelling is set
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back from the road and is accessed via a driveway. It sits between two other properties, which are positioned at a right angle with Richborough Place. All three buildings follow the same building line and have open parking areas and landscaping to the front. Properties in the wider area are also set on distinct building lines with open areas to the front. Most of them have integral or attached garages that do not have a significant projection beyond the front line of their host dwellings. Clear building lines and open space are therefore features that make a significant contribution to the character and appearance of the area.

6. The proposed garage would be located to the front of the appeal dwelling and would occupy part of the driveway. Although the proposal would be set back from the road, it would have a prominent position within the streetscene, as it would introduce a brick structure in an open setting. Moreover, sited beyond the building line established by properties 10, 12 and 14 Richborough Place, the garage would appear as a discordant feature. Thus, the garage would appear as an incongruous addition and would harmfully affect the character and appearance of the streetscene.
7. The appellant's comments regarding the views of the garage from Richborough Place are noted. However, as the open plan setting of this row of properties is visible within the streetscene, the proposed garage would also be clearly visible from Richborough Place. The single storey nature of the garage and its dimensions would not reduce the harmful effect on the character and appearance of the area. Whilst I acknowledge that cars park in front of the buildings, such parking does not have the same effect on the character and appearance of the streetscene as the introduction of a permanent brick structure.
8. The appellant has drawn my attention to the front garage of nearby property no 5 Hawkhurst Drive and to the existing boundary treatments between properties. The front garage of no 5 is not directly comparable to the proposal before me as it has a lighter appearance and is set-back from the driveway that serves the adjacent property. In any event this appeal has been dealt with on its own merits. The appearance of the existing boundary treatments is also not directly comparable to that of the proposed garage.
9. Accordingly, I conclude that the introduction of the proposed garage in this location would adversely affect the established pattern of development, thus resulting in significant harm to the character and appearance of the area. Therefore, the development would be contrary to Policy 10 of the Council's Aligned Core Strategy (ACS), which requires, amongst other things, that development makes a positive contribution to the public realm and sense of place and creates an attractive and safe environment.

Living conditions

10. From what I have seen and read, the driveway that serves the appeal property is private. Neighbouring property no 10 appears to have direct access from Richborough Place via its own drive. There is also a driveway that runs parallel to the appeal site driveway and serves no 14. The plans submitted indicate that the proposed garage would be located within the appeal site boundaries. The appellant's statement reiterates this.

11. I have noted the neighbours and Council's concern regarding the effect of the proposal on the living conditions of the occupiers of No 14 with regard to vehicular access. Given that the garage would be located on the appellant's driveway, the development would not directly restrict vehicular access to the neighbouring property by domestic vehicles. However, I noticed that the driveway is narrow and it seems to me the position of the garage could restrict access or manoeuvring by larger vehicles. Moreover, the garage would create a dominant, hard boundary to the driveway of No 14, in an area where driveways are generally expected to be open. As such it would feel intrusive. In addition, its position would restrict the visibility of the property from the road thereby adversely affecting its legibility and would impede outlook from the front of the property towards the road.
12. For these reasons, the incongruous position of the garage at the front of the property would affect the enjoyment of the property and thereby the living conditions of the occupiers of no 14.
13. Consequently, whilst I find no conflict with Policy T3 of the Nottingham Local Plan 2005 which sets out the provisions for on-site parking in new development, the proposal would be contrary to Policy 10 of the ACS which requires development to be assessed in terms of legibility and impact on the amenity of nearby residents or occupiers.
14. I acknowledge that the garage would provide a benefit to the appellants, whose original garage has been converted to living space. However, such benefit would not outweigh the harm I have identified.

Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR