



Appeal Decision

Site visit made on 19 August 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: 18 September 2019

Appeal Ref: APP/B3030/W/19/3230701

Billericay, 124 High Street, Collingham NG23 7NH

- 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 Dove and Trevethick against the decision of Newark & Sherwood District Council.
 - The application Ref 19/00187/OUT, dated 31 January 2019, was refused by notice dated 28 March 2019.
 - The development proposed is described as "outline planning application for one barn style chalet bungalow".
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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.

Preliminary Matter

3. The application was made in outline with all matters reserved for subsequent approval, except for the access. The application was accompanied by a site plan indicating the location of the dwelling on site, served by a shared access off High Street and floor plans and elevations. I have dealt with the appeal on the basis that the floor plans and elevations are for indicative purposes only and whilst they have informed my decision they have not, in themselves, been determinative.

Main Issues

4. The main issues are:
 - whether the proposal would preserve or enhance the character or appearance of the Collingham Conservation Area; and
 - the effect of the proposal on the Collingham Main Open Area.

Reasons for the Recommendation

Conservation Area

5. 124 High Street is a detached, two-storey dwelling, located within a predominantly residential area, within the Collingham Conservation Area (CA). The appeal dwelling is located on the eastern side of High Street, is set-back from the road, has a private drive to the front and a large garden to the rear. The proposal seeks the construction of a barn style chalet bungalow to the rear of the main dwelling, with a vehicular access taken from High Street. The vehicular access would be shared with recently approved dwellings¹. The land proposed for development currently accommodates dilapidated and vacant outbuildings, which are visible from public vantage points.
6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (the Framework). At paragraph 131, it sets out matters which should be taken into account including sustaining and enhancing the significance of the heritage asset and the desirability of new development making a positive contribution to local character and distinctiveness.
7. The Collingham Conservation Area Appraisal (2006) (the CAA) states that High Street does not have a coherent character that dominates but it has a building line traditionally close to the street frontage. It also emphasises that backland development should be avoided. This pattern of development makes a positive contribution to the significance of the CA as a heritage asset.
8. At odds with this established layout, the proposed bungalow would be located beyond the building line and would thereby disrupt the existing pattern of development. Thus, the construction of a dwelling in this site would detract from the character and distinctiveness of the area.
9. I note that the appeal dwelling as well as neighbouring properties have outbuildings within their rear gardens, which are located behind the building line determined by the main dwellings that front High Street. However, I do not consider the existing outbuildings would be directly comparable with the proposed development, as a new dwelling in this location along with its associated infrastructure, would have a greater impact on the character and appearance of the area as a result of its use and form.
10. The appeal statement refers to the position of the recently approved dwellings¹ in relation to High Street and indicates that the new bungalow would follow this pattern of development. Whilst I do not have full details of these dwellings, the proposed block plan shows that the two dwellings would be close to the street frontage and would not project beyond the rear building line of the existing main buildings. Given the siting of the new bungalow in relation to High Street and to the building line of existing dwellings, the proposal would harmfully affect the character and appearance of the area.
11. The appellant drawn my attention to previous approvals² of new dwellings within the CA. I acknowledge that some form of backland development has been found acceptable in parts of the CA, however the established building line of the properties located within proximity of the appeal site provides a far

¹ Application ref: 17/00283/FUL

² Application ref: 13/00445/FUL & Appeal ref: APP/B3030/A/14/2228410

stronger context for the proposed development. Nevertheless, all proposals need to be considered on their own merit.

12. Therefore, the scheme before me would constitute a form of development detrimental to the character and appearance of the CA. Although the harm to the significance of the Collingham Conservation Area would be less than substantial, I consider that it would still be material. Less than substantial harm needs to be weighed against the public benefits of the proposal, in accordance with paragraph 196 of the Framework.
13. In this instance, I acknowledge that there would be some benefits, in visual terms, to the removal of the existing dilapidated outbuildings. In addition, the development would make a limited contribution to the supply of housing within the village and will assist in supporting the viability of existing local services. However, on the other side of the balance, the Framework indicates that great weight should be given to the asset's conservation. Accordingly, these benefits do not outweigh the harm to the CA that I have identified.
14. For the above reasons the proposal would fail to preserve or enhance the character or appearance of the Collingham Conservation Area and would be contrary to Core Policies 9 and 14 of the Core Strategy and Policies DM5 and DM9 of the Allocations and Development Management Development Plan Document, which collectively state that, amongst other matters, development should be appropriate to its context, and protect and enhance historic assets. In addition, for the same reasons the proposal would fail to comply with the weighty statutory requirements of the Act.

Collingham Main Open Area

15. The Collingham Main Open Area (CMOA) insulates the historic core of Collingham from later phases of development and it also acts as a green corridor. The development would be immediately adjacent to the CMOA and would be visible from this open area.
16. Policy CO/MOA (Collingham – Main Open Areas) of the Allocations and Development Management Development Plan Document states that within land allocated on the Policies Map as Main Open Areas, planning permission will not normally be granted for built development.
17. Whilst I note the proximity of the development to the CMOA, the proposal would be outside the designated area, thus it would not have an adverse impact on the function of this open area. Accordingly, it would not be contrary to Policy CO/MOA of the Allocations & Development Management Development Plan Document. Nevertheless, this does not negate the impact the proposal would have on the character and appearance of the area.

Other matter

18. I have noted the comments about the proposed access and the Council's view on this matter. The development has been found acceptable by the Council in terms of highway safety. On the basis of the evidence before me, I have no reason to disagree.

Recommendation

19. 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

20. 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