
Appeal Decision

Site visit made on 14 July 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 July 2020

Appeal Ref: APP/Q3060/W/20/3250134

Land South West of 2 Whittier Road, Trent Lane, Nottingham.

- 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 Keith Hammond (Christchurch Developments Ltd) against the decision of Nottingham City Council.
 - The application Ref 19/02752/PFUL3, dated 10 December 2019, was refused by notice dated 27 March 2020.
 - The development proposed is full planning application for erection of 4 apartments following demolition of existing building.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have removed reference to the appeal being a resubmission of an earlier scheme from the description in the banner heading as this is not in itself development.

Main Issues

3. The main issues are the effect of the development on:
 - a) the availability of family housing;
 - b) the character and appearance of the area;
 - c) the living conditions of the future occupiers of the proposed development with regard to access to outdoor space and the location of car parking; and,
 - d) car parking within the area.

Reasons

Family housing

4. Policy 8 of the Nottingham City Aligned Core Strategies Part 1 Local Plan (ACS) adopted September 2014, states that residential development should contribute to a mix of housing tenures, types and sizes to create sustainable, inclusive and mixed communities. The policy places an emphasis on providing family housing within the City.
5. The implementation of Policy 8 is supported by Policy HO1 of the Land and Planning Policies Development Plan Document - Local Plan Part 2 (January

2020) (LAPP) which seeks a housing mix supporting family housing outside of the city centre where sites are capable and suitable. Capable and suitable is to be assessed taking into account, among other things, whether local evidence of housing need and demand indicates an alternative mix meets other Council aims.

6. The text to Policy HO1 indicates that the pattern of completions in new homes indicates low levels of family housing. Family housing being identified as having no more than three storeys with privately enclosed gardens and three or more bedrooms with two capable of double occupancy.
7. The appellant indicates that the development would provide dwelling types that would appeal to a range of occupiers including couples and families and would deliver 4 new family homes in an accessible location. However, the proposal does not provide the type of family housing envisaged in Policy HO1.
8. Planning permission has been granted¹ for the erection of two, 3-bedroomed dwellings at the site. The approved development would meet the definition of family housing in Policy HO1. The appellant asserts that the approved scheme is not viable and has little prospect of being implemented, but I have limited information on viability before me. Therefore, based on the evidence, it appears that the Council have a need for family housing and that the site could fulfil that need.
9. Consequently, I consider that the development would have a harmful effect on the availability of family housing in the locality. As such it would conflict with Policy 8 of the ACS and Policy HO1 of the LAPP.

Character and appearance

10. The appeal site is a triangular area of land located at the junction of Whittier Road and Trent Lane, at the end of a row of terraced properties facing Whittier Road. The appeal site is in a prominent location visible from the elevated walkway over the railway line and from the surrounding roads.
11. The site's immediate context is short blocks of Victorian terrace properties facing Whittier Road and Trent Lane. These terraced properties are substantial, attractively detailed, brick-built houses generally with slate roofs and windows that reflect the typical vertical sliding sash proportions of the period. Opposite the site the community and training centre structure has a different aesthetic commensurate with its non-domestic use. Within the wider area there is a greater variety of house designs. Nevertheless, the appeal site's location is aligned with the terraced properties adjacent to it.
12. The design of the scheme does not reflect its immediate context. In such a prominent location where a clear comparison can be made between the attractive detail and proportions of the existing terraced properties, I consider that the proposal would appear incongruous. As a consequence, the development would not sit comfortably within the street scene and would detract from the character and appearance of the area.
13. I appreciate that a scheme has been approved which allowed for a staggered residential block taller than the existing terrace properties. However, each dwelling in that scheme would be narrower and less deep resulting in better

¹ 19/01523/PFUL3

proportioned buildings and greater separation from the existing terraced block. Further, brick details are incorporated into the elevations and the window proportions reflect adjacent buildings. Thus, the approved scheme would sit acceptably with its surroundings.

14. For the reasons given, I conclude that the design of the development would detract from the character and appearance of the area in conflict with Policy 10 of the ACS and Policy DE1 of the LAPP which seeks to ensure that development is designed to contribute to the public realm, reinforces valued local characteristics and respects and enhances the streetscape.

Future occupiers living conditions

15. The scheme indicates that the area to the rear of the property would be a shared space. Bin storage and car parking would be located adjacent to the road and various screening measures would limit public views of the bin store and outdoor space.
16. The internal layout of the apartments does not provide any direct connection to the outdoor space to the rear of the apartments. I agree with the Council that the building's internal layout would not integrate with its external surrounding space and would be unlikely to be convenient or function well.
17. I appreciate that the car parking would be located so that it would not be visible from within the properties, however, this would not be unusual in the site context and the car parking would be readily visible from the road and the adjacent high-level pedestrian bridge. I do not consider that the lack of natural surveillance of the car parking from the apartments would be detrimental in this case.
18. However, for the reasons given the layout of the internal and external spaces are not sufficiently integrated and would not provide satisfactory living conditions for the future occupiers of the proposed development. This would conflict with Policy 10 of the ACS and Policy DE1 of the LAPP where it seeks to provide a satisfactory level of amenity for occupiers of the development.

Car Parking within the area

19. The site is in a sustainable location close to local centres with a variety of shops and other facilities. The site has good public transport links. Two car parking spaces would be provided within the site. Although no space is provided for cycle parking in the scheme details such storage could be sought by condition.
20. I saw during my site visit that the adjacent streets are not subject to any parking restrictions and that there were a number of spaces available for vehicles to park. Whilst there may be greater demand for on street parking at different times of the day and in the evening, I have no evidence before me which would lead me to conclude that harm to highway or pedestrian safety would result from the increased parking demands.
21. I note the concerns of the adjacent occupier in respect of on street parking, however, I consider that with the provision of two parking spaces within the site and suitable parking for cycles being sought by condition, the development would not noticeably increase pressure for on street parking or adversely affect the adjacent resident's living environment.

22. Consequently, I conclude that the development would not have an adverse effect on car parking within the area. In this respect the development would accord with Policy TR1 and appendix 1 of the LAPP which seeks an appropriate level of car parking for development taking into consideration a number of issues, including whether neighbouring properties would be adversely affected, the location of the development, and whether highway safety would be prejudiced.

Other Matters

23. I appreciate that the development would meet the National Planning Policy Framework (the Framework) aim to boost the supply of housing and that the new properties would contribute to the economy. However, the harm associated with the scheme outweighs any such benefits. In any case there is an approved scheme for the residential development of the site which supports these Framework aims. I have no substantive evidence before me as to why this scheme could not be implemented.

Conclusion

24. For the reasons given above, the appeal is dismissed.

Diane Cragg

INSPECTOR