
Appeal Decision

Site visit made on 9 November 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 November 2020

Appeal Ref: APP/A3010/W/20/3250801

Land west of Bawtry Road, Blyth

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval to details required by a condition of a planning permission.
 - The appeal is made by Mr T Reed against the decision of Bassetlaw District Council.
 - The application Ref 19/01050/RES, dated 6 August 2019, sought approval of details pursuant to condition No 2 of a planning permission Ref:17/00505/OUT granted on 9 August 2017.
 - The application was refused by notice dated 8 January 2020.
 - The development proposed is five residential dwellings.
 - The details for which approval is sought are access, appearance, landscaping, layout and scale.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) has been issued in relation to the Blyth Neighbourhood Plan. In accordance with the Planning Practice Guidance (PPG) where a decision statement has been issued significant weight can be attributed to the Neighbourhood Plan in decision-making. Accordingly, I have considered the appeal on this basis.
3. The appellant has provided an amended landscaping scheme drawing no 006 rev A. There has been opportunity to comment on the amended landscaping scheme and I do not see any prejudice to either party or third parties in accepting the amended plan.

Main Issues

4. As described in the banner heading, outline planning permission was granted for the erection of five dwellings on the appeal site in 2017. The principle of residential development of the site has therefore been established and is not a matter before me. The reserved matters application, which is the subject of this appeal, seeks approval of the proposed access, layout, scale, appearance and landscaping of the development.
5. The main issues are:
 - the effect of the development on highway safety;

- whether the proposed landscaping scheme is acceptable with particular regard to tree species and biodiversity; and,
- the effect of the development on the character and appearance of the area.

Reasons

Highway safety

6. Access to the appeal site would be via a private drive on to the A614 Bawtry Road which is a busy distributor road with a speed limit of 30mph outside the site.
7. There is no dispute that the proposed access would provide adequate visibility at its junction with Bawtry Road and that each property would have sufficient vehicle parking and turning space. However, without using property driveways there would be insufficient space to turn a delivery vehicle within the confines of the access road. Such vehicles would need to reverse on to Bawtry Road or alternatively manoeuvre within Bawtry Road and reverse into the access.
8. A driver's visibility would be limited when reversing out on to Bawtry Road and this would be hazardous to both pedestrians and other road users. Reversing into the site would lead to vehicles slowing, stopping and turning off the busy road in reverse gear. In either case such manoeuvres within the highway would be detrimental to the free flow of traffic along the road and would be hazardous to both pedestrians and other road users; even if at time traffic speeds are reduced by the sequencing of traffic lights further along the road.
9. The appellant indicates that a turning area would be provided as part of the development of adjacent land. However, I have no details of the development proposed on the adjacent land before me.
10. Therefore, I consider that the proposed development would prejudice highway safety and would conflict with Policy DM4 of the Bassetlaw District Local Development Framework Core Strategy & Development Management Policies DPD (Core Strategy) which seeks to ensure that development is designed having regard to the accessibility of the site. It would also conflict with the National Planning Policy Framework (the Framework) where it seeks to resist development that would have unacceptable impacts on highway safety.

Landscaping

11. The Council is concerned about the use of two Acer Platanoides trees as part of the proposed landscaping scheme. These trees are non-native and grow to a substantial height and spread. An amended landscaping scheme has been submitted which retains the Acer Platanoides tree between plots 2 and 3. An alternative tree species is proposed adjacent to plot 5, however, there is no supporting evidence as to why the chosen tree is a more appropriate specimen to the surrounding landscape or in relation to plot 5.
12. I saw during my site visit that there is an existing hedge to the northern site boundary that has grown out into taller hedge species and a small number of low trees. There is no indication that these features are to be retained. The proposed landscaping scheme provides a limited number of trees and therefore, to provide appropriate and effective landscaping in accordance with

Framework paragraph 127b, each tree would need to be sufficiently versatile to enhance the existing landscape structure and the site's biodiversity. Based on the limited evidence before me I am not satisfied that the landscaping scheme has reached this standard.

13. Therefore, I conclude that the development does not provide adequately for the landscaping of the site particularly with regard to tree species and biodiversity and conflicts with Policy DM4 of the Core Strategy where it seeks to ensure that development respects the wider surrounding landscape character and Policy 2 of the Blyth Neighbourhood plan where it aims to achieve landscaping that takes account of important views and local character. It would also conflict with the Framework where it seeks development that is visually attractive as a result, among other things, of good landscaping, provides a high standard of amenity for future users and encourages opportunities to be taken to incorporate biodiversity improvements in and around developments.

Character and appearance

14. The application site is located on the north side of the M1 and is adjacent to open land to the north and south. There is established and new residential development further north. A new warehouse building has been constructed close to the appeal site to the west side of Blyth Road. Existing established dwellings to the north largely appear single storey in scale and mass even if some have first floor accommodation. More recent development on the same side of the road as the appeal site provides a variety of development including two storey houses.
15. The proposed development would be prominent because of the open undeveloped nature of its immediate surroundings. Although there are adjacent commercial buildings of a significantly greater scale, I do not consider that this commercial development sets a precedent for the design of the residential environment. Nevertheless, the massing and scale of the proposed two storey dwellings would not be significantly different to the recent two storey development to the north adjacent to the Bawtry Road frontage and there is a wide variety of dwelling types within the area.
16. Therefore, I consider that the development would not harm the character and appearance of the area and in this respect would accord with Policy DM4 of the Core Strategy where it seeks to ensure that development is appropriate to local character and distinctiveness or Policy 2 of the final version of the Blyth Neighbourhood Plan 2018 – 2035 (Neighbourhood Plan) where it seeks to ensure development is appropriate to the established character of the area. It would also accord with Paragraph 127 of the Framework where it seeks to ensure that development is sympathetic to local character.

Other Matters

17. As set out above, planning permission has been granted by virtue of the outline planning permission¹. Therefore, I can only consider the acceptability of the reserved matters which are before me. The matters of 5-year housing land supply and the expiry of the outline planning permission are not for me to consider here.

¹ 17/00505/OUT

Conclusion

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

Diane Cragg

INSPECTOR