



Appeal Decision

Site visit made on 17 November 2020 by C McDonagh BA (Hons) MA MRTPI

by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020

Appeal Ref: APP/Q3060/W/20/3257731

97 Hollington Road, Nottingham NG8 3HP

- 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 Habib Ali against the decision of City of Nottingham Council.
 - The application Ref 20/00069/PFUL3, dated 13 January 2020, was refused by notice dated 12 May 2020.
 - The development proposed is a single storey dwelling to land side of 97 Hollington Road.
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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 appellant disputes the relevance of Policy 8 of the Greater Nottingham Aligned Core Strategies (ACS) and Policy DE2 of the Land and Planning Policies Development Plan Document (DPD) in relation to the proposal. While many of the matters listed in Policy 8 do not relate to this particular proposal, the mix of housing types and sizes aspects listed in the policy are of relevance. Similarly, DE2 seeks to ensure development is of high design quality and reflects and reinforces positive local characteristics. I would therefore consider both policies relevant to the assessment of the proposal and have considered the appeal accordingly.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site comprises the side garden area of 97 Hollington Road. The host property is a two-storey, semi-detached dwelling located adjacent to a roundabout. The area is residential in nature, with properties of a similar appearance located on the appeal side of the road, while the opposite side is comprised of single-storey bungalows.
6. The appeal proposes the erection of a single-storey bungalow with a pitched roof constructed from matching red brick. The plot would be divided to create

parking for the new dwelling and a garden area, while existing access would be taken from Hollington Road and shared.

7. The development would result in a gap of only 1.7m to the side of the host property and 765mm from the nearest point of the tapered side boundary with No.95 Hollington Road. This would result in the proposed dwelling appearing cramped within the plot. Despite occupying a larger area than other houses nearby, due to the awkward shape of the space to the side the design would appear contrived due to the limitations of the plot. Furthermore, houses on this side of the road are generally characterised by large separation distances from one another. In contrast, the proposed bungalow would leave little room between the houses either side and would appear incongruous with the established pattern of development in the area.
8. The opposite side of the road is comprised of bungalows, although these also generally include a larger gap between properties than the proposal would retain. Moreover, the general appearance of a bungalow would jar amongst the prevailing two-storey semi-detached properties to this side of Hollington Road.
9. I note the contention that the bungalow would improve the appearance of the street scene as it would facilitate the removal of the existing garage and high fence. However, despite the appearance and condition of the garage, it is clearly ancillary to the main property and is of much smaller scale. I acknowledge that the appellant is willing to accept a condition to limit the occupancy of the bungalow to a member of the appellant's family. Nevertheless, it would remain that the development introduces substantial built form to the site which is uncharacteristic in the locality for the reasons given above. Therefore, such a condition would have a limited effect.
10. I observed the adjoining property has a two-storey side extension. However, this differs significantly from a detached dwelling of single-storey scale and I do not consider it comparable to the proposal before me. Moreover, the proposal would not restore balance to the pair of semi-detached dwellings given their differing appearances and scales.
11. It is argued a similar building could be constructed under permitted development rights and that this constitutes a fallback position. Be that as it may, as the appellant points out, any outbuildings built as permitted development would be subject to certain limitations including in terms of their height. Accordingly, the resultant building would not be comparable with the proposed bungalow. Moreover, there is nothing before me to suggest that there is an intention to construct an alternative proposal. Accordingly, I give this matter limited weight as a realistic fallback position.
12. To conclude, the proposal would result in significant harm to the character and appearance of the surrounding area. Therefore, the development would be contrary to Policies 8 and 10 of the DPD and DE1 and DE2 of the ACS. Together, these seek to ensure development respects and enhances the streetscape and character of the area, particularly in terms of its scale, massing and rhythm, among others.

Other Matters

13. I acknowledge there would be a personal benefit to the appellant in providing accommodation for a disabled family member who requires care. However, I

have no information on the circumstances. As such, this matter carries limited weight in favour of the scheme but does not outweigh the harm I have identified which carries significant weight.

14. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Nevertheless, for the reasons set out above, it does not follow from the PSED that the appeal should succeed and the benefits as set out do 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.

C McDonagh

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.

K Taylor

INSPECTOR