



Appeal Decision

Site Visit made on 19 January 2021

by Chris Baxter BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 February 2021

Appeal Ref: APP/N3020/W/20/3262309

Land adjacent 34 Marlborough Road, Woodthorpe, Nottingham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr A Hallam of Hill Brothers Ltd against the decision of Gedling Borough Council.
 - The application Ref 2020/0340, dated 16 April 2020, was refused by notice dated 11 September 2020.
 - The development proposed is four new build dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Outline planning permission is sought with all matters reserved except access and layout. I have determined the appeal on this basis.
3. The application form refers to the site address being "land adjacent to No 24 Marlborough Road" whereas the appeal form, and the decision notice indicate that the address is "land adjacent 34 Marlborough Road". I am satisfied, from the submitted plans and observations at my site visit, of the location of the appeal site to be land adjacent 34 Marlborough Road.

Main Issue

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

Reasons

5. The area surrounding the appeal site is characterised by residential properties of varying styles which front onto public roads. Whilst individual plots and gardens vary in size in the wider surrounding area, the pattern of development in the immediate area remains uniform with properties set in a linear fashion. This linear pattern of properties fronting onto the roads makes a positive contribution to the character of the area.
6. The proposal is in outline however an illustrative block plan has been submitted indicating a proposed layout. The proposed development of the large, deep vacant site would provide two properties fronting onto the public road and two properties set behind that would be accessed from a private driveway. This proposed layout would be at odds with the existing spatial pattern of development in the immediate area. The proposal would result in two properties that would not front onto the public road which would conflict with the linear built form of adjacent buildings fronting onto the road. The proposal

- would not be in keeping with the surrounding built environment with the layout and location of the properties having a detrimental effect on the character and appearance of the area.
7. The two properties sited within the site would have a separate access suitable to allow two vehicles to pass each other, and would not impinge on the accesses, parking and gardens of the proposed properties that would face the road. However, the siting of the properties within the site, would not front onto the public road and would not be in keeping with the surrounding built form.
 8. It is noted that there is a varied built form in the area derived from the previous land use pattern of railways and abutments. This built form includes the Western Power site, offices of Hills Brothers builders, bungalows, properties at Raibank Gardens, Victorian semi-detached properties and the close knit housing on the corner of Marlborough Road and Woodthorpe Avenue, of which some of these have small gardens. The majority of the buildings in the area front onto the public road though and are sited in a linear fashion. The layout of the proposed development would be a stark contrast to the existing form having an adverse effect on its character.
 9. I have had regard to the appellants descriptions of back land and tandem developments. These, however, do not alter my findings above and the harm to the character and appearance of the area.
 10. Accordingly, the proposed development would have a harmful effect on the character and appearance of the surrounding area. The proposal would be contrary to Policies 2, 8 and 10 of the Gedling Borough Aligned Core Strategies Part 1 Local Plan 2014, Policies 35 and 40 of the Gedling Borough Local Planning Document Part 2 2018 and the National Planning Policy Framework which, amongst other things, seeks development to make a positive contribution, reinforce valued local characteristics and not adversely affect the area by reason of form or layout.

Other Matters

11. The appellant has indicated that the Council have no objections in principle to residential development and have accepted the properties fronting the public road. The proposal is an effective use of land being the development of previously developed land. It has been indicated that a scheme can be brought forward that would not compromise the living conditions of neighbouring occupiers or highway safety. I also note that there is an existing right of way over the site which requires vehicle access to neighbouring properties. These benefits and matters however would not outweigh the harm I have identified in the main issue.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Chris Baxter

INSPECTOR