



Appeal Decision

Site visit made on 19 April 2021

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 28th May 2021

Appeal Ref: APP/B3030/W/20/3263541

Victoria Cottage, Station Road, Lowdham NG14 7DU

- 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 Messrs Milton and Shearwood against the decision of Newark & Sherwood District Council.
 - The application Ref 20/00373/FUL, dated 27 February 2020, was refused by notice dated 19 May 2020.
 - The development proposed is the re-use (incorporating refurbishment, remodelling, partial demolition and first floor extensions) of a former residential care home to 9no. apartments.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal on:
 - The character and appearance of the area; and on
 - The safe operation of the highway network in the vicinity of the appeal site.

Reasons

Character and appearance

3. The host building is a detached dwelling of some age which has a number of more modern single and two-storey extensions to the rear and the side of the property. It has most recently been in use as a residential care home of 18 bedrooms. It has a prominent position at the junction of Station Road and Blenheim Avenue and a traditional appearance which harmonises with the surrounding area of older and more modern dwellings.
4. A single storey side extension is prominent within views of the property due to its location towards the front of the site and adjacent to the original building. Whilst mature trees within the site provide some screening of the extension when approaching from the south, this is not the case within views from the north and outside the site. Furthermore, the trees in question are deciduous specimens and therefore any screening would be reduced during the winter months due to leaf loss. Although it has a similar width to the original building, the extension is visually subservient as a result of its single storey scale. Thus, it does not compete with or dominate the dwelling within the street scene.

5. The appeal proposes to increase the height of the side extension to two-storey. Whilst the extension's height would remain lower than the original building, the combination of its substantial width and height would result in an element which would have undue prominence within the main views of the original building from Station Road.
6. I do not identify harm to arise from other elements of the extension's design including fenestration and eaves height. However, these neutral aspects would not lessen the harm which would arise from its scale. The resulting discordant visual relationship between the two elements of the building to the front of the site would cause material harm to the character and appearance of the area.
7. The window design of the existing building is relatively traditional and unobtrusive. The appeal proposes the retention of this design for the majority of the building. However, the windows within the two-storey flat roofed section to the rear of the site would be replaced. This part of the building is prominent within views from Blenheim Avenue.
8. The new windows would be significantly larger than those within the remainder of the building, and would have large timber clad panels within the frames. As a result of these factors, the windows would have a more modern appearance than others within the property. They would be highly visible as a result of their prominent location on Blenheim Avenue and their contrasting design would consequently have an incongruous effect within the street scene.
9. I acknowledge that the proposal includes the removal of some elements which do not contribute positively to the building's appearance. These are generally small in scale and most are set back within the site. However, the extension and window elements considered above would have a significantly more harmful visual effect. Therefore the removals proposed would not adequately compensate for the harm caused.
10. Thus, the proposal would cause moderate harm to the character and appearance of the area. It consequently conflicts with Core Policy 9 of the Amended Core Strategy (2019) (the CS), which states that new development should be of an appropriate form and scale to its context, complementing the existing built environment. Further conflict exists with Policy DM5 of the Allocations and Development Management DPD (2013) (the DPD), which sets out that the character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

Highway Safety

11. The appeal proposes the use of the building for nine apartments. Five of these would have two bedrooms, and four would have one bedroom. The highway authority states that it would usually seek a minimum of one parking space for properties with one bedroom, and two spaces for properties with up to three bedrooms. The proposal would consequently require fourteen parking spaces according to the authority's requirements.
12. Three existing on-site car parking spaces are associated with the former care home. The same number would be provided for the apartments. As only three parking spaces would be provided at the site for either the care home or

apartments uses, any additional parking demand would be met by on-street parking in both cases.

13. The appeal site lies close to Lowdham railway station, which has limited car parking available for those wishing to access rail services by private car. There was a moderate amount of on-street parking on Station Road on the day of my site visit. This was carried out during the Covid-19 pandemic restrictions and hence the demand for on-street parking is likely to be greater at unrestricted times. The availability of such parking on Station Road was limited by the presence of accesses, double yellow lines and bus stops. Taking these factors and the submissions of interested parties on the subject into account, the evidence before me suggests that there is generally a high degree of demand for on-street parking in the vicinity of the appeal site.
14. The Manual for Streets¹ sets out that on-street parking can introduce a road safety problem, particularly if traffic speeds are above 20 mph and there are few places for pedestrians to cross with adequate visibility. The question before me is consequently whether the proposal would increase the level of on-street parking demand in the area by a harmful amount.
15. The appellants provide TRICS modelling data which indicates that the existing care home use would generate forty four trips per day. TRICS calculations concerning the proposed apartments show that thirty trips per day would be associated with these. Thus, the modelling shows that the proposal would reduce the number of daily trips to the site.
16. I acknowledge the submission that a proportion of the care home staff did not use cars to travel to work whilst the home was in use. Nevertheless, the existing care home use does not restrict staffing arrangements in this respect and hence the fallback position allows for a scenario where a significant proportion of staff at the care home would use a private car. These may be parked for lengthy periods where staff are working shifts at the site. Further parking demand would arise from the visits of family and friends and professionals to the care home.
17. The appellants submit that visitors to the care home facility would require ten parking spaces at any one time. This does not seem to be an unreasonable assessment based on the evidence before me, and it is undisputed by the Council.
18. The appellants' analysis suggests that six-seven parking spaces would be required in association with the appeal proposal at any one time. The Council would require fourteen parking spaces to be provided for the proposal, a small increase of four spaces from the care home requirement. However, it is unclear how up-to-date the evidence base for this assessment is, and whether it takes factors which may reduce car use such as the site's location in an area with reasonably good access to services and public transport into account.
19. In view of these considerations, I am satisfied that any on-street parking generated by the appeal proposal would be so similar in scale to that of the existing care home use as to be unlikely to cause any additional harm to highway safety.

¹ Department for Transport, 2007

20. The proposal would consequently have a neutral effect on the safe operation of the highway network in the vicinity of the appeal site. As a result, it complies with Spatial Policy 7 of the CS, which states that vehicular traffic generated by a development proposal should not exacerbate existing on street parking problems. Further compliance exists with Policy DM5 of the DPD, which sets out that parking provision for vehicles should be based on the scale and specific location of a development.

Other Matters

21. The appellants' concerns regarding the Council's approach are not matters for this appeal, which I have determined on its planning merits.
22. I have had regard to other matters raised, including concerns about the proposal's effect on flood risk, trees and living conditions. However, as I am dismissing the appeal on the main issues for the reasons given herein, I have not pursued these matters further.

Conclusion

23. The Government's objective is to significantly boost the supply of housing and the proposal would provide nine homes in a location with adequate access to services. Given the small scale of the proposal, the provision of the additional housing attracts modest weight. Furthermore, the appeal does not demonstrate that any current need for smaller properties in the area is so significant as to outweigh the harm which the proposal would cause. The removal of elements of the existing building which do not currently contribute positively to the appearance of the area is a modest benefit. The scheme would lead to a small and time-limited economic benefit during the construction phase, which may give rise to extra local employment.
24. Conversely, the proposal would cause moderate harm to the character and appearance of the area. This matter outweighs the benefits associated with the proposed development.
25. The proposal would therefore conflict with the development plan and there are no other considerations, including the National Planning Policy Framework (2019), that outweigh this conflict.
26. Thus, I conclude that the appeal should be dismissed.

C Beeby

INSPECTOR