
Appeal Decision

Site visit made on 10 January and 21 February 2022¹

by David M H Rose BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2022

Appeal Reference: APP/Y2430/W/21/3284091

2 Vaughan Avenue, Bottesford, Nottingham, NG13 0EF

- 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 M Pate against the decision of Melton Borough Council.
 - The application Reference 20/00651/FUL, dated 15 June 2020, was refused by notice dated 7 April 2021.
 - The development proposed is described as 'Proposed 2 bedroom bungalow with garage'.
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Decision

1. The appeal is allowed, and planning permission is granted for 'Proposed 2 bedroom bungalow with garage' at 2 Vaughan Avenue, Bottesford, Nottingham, NG13 0EF in accordance with the terms of the application, Reference 20/00651/FUL, dated 15 June 2020 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: HN/095/11B, HN/095/12B, HN/095/13B, HN/095/18, HN/095/19 and HN/095/20.
 - 3) The dwelling hereby approved shall not be occupied until space has been laid out within the site, in accordance with drawing HN/095/18, for two cars to be parked (single garage and single parking space) which shall thereafter be kept available at all times for those purposes.
 - 4) No above ground development shall take place until details / samples of the materials to be used in the construction of the external surfaces of the proposed dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.
 - 5) The existing willow tree, shown to be retained on drawing HN/095/18, shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from

¹ The second site visit was made to a neighbouring property, 71 Grantham Road, at the request of the owners

the site. Nothing shall be stored or placed within the fenced area, and the ground levels within that area shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

Main Issue

2. The main issue is whether the proposal would result in over development of the site with reference to its scale and proximity to site boundaries and the arrangements for car parking and thereby be out of character with its surroundings.

Reasons

3. Looking first at the character of the area, Vaughan Avenue consists of a series of modestly sized bungalows, mostly gable to the road on narrow plots, with a single width drive to one side and a token access strip along the other boundary. The gaps create a notion of spaciousness and generous separation between individual dwellings. No. 2 Vaughan Avenue, and the recently constructed bungalow to the north, occupy plots with wider frontages. Neither has a drive running alongside the dwelling which results in a more built up appearance.
4. The proposed dwelling, to the south of no. 2, would follow the neighbouring alignment and it would mimic the spatial arrangement of the bungalow on the opposite corner plot of Vaughan Avenue. Although it would have minimal separation from its northern boundary, the proposed bungalow would have more generous space on its southern side and the development as a whole would not appear cramped. To my mind, the loss of this side garden to development would not be at odds with the character of the neighbouring part of Vaughan Avenue and there would be no adverse effect on the more spacious plots along Grantham Road.
5. As to the criticisms about the provision of off-street parking, there is no reason to suppose that a modestly sized bungalow would justify any more than a single garage and a related car parking space. Whilst acknowledging concerns about on-street parking, there is nothing to suggest that Vaughan Avenue, leading into Fleming Avenue, and its junction with a bypassed section of Grantham Road carries substantial traffic or that material issues of conflict would be likely to arise as a result of the proposed development.
6. Overall, I consider that the proposal would not be out of character with its surroundings. In terms of the development plan, the proposal would be in accordance with Policy D1 of the Melton Borough Local Plan and Policies 1, 8 and 10 of the Bottesford Neighbourhood Plan. There would be no conflict with the development plan when read as a whole and I find no conflict with the National Planning Policy Framework and, in particular, its emphasis on good design.
7. I have had regard to all of the representations received, including concerns about adjacent residential amenity and the lack of a footway along Grantham Road. I am also satisfied that should other proposals come forward in the wider locality, each case would be considered on its own merits. I find nothing that would lead me to dismiss the appeal.

8. In terms of planning conditions, the development is to be commenced within the standard time period and the approved drawings are listed for the avoidance of doubt.
9. The provision and retention of parking facilities is to minimise additional on-street parking. The materials of construction referred to in the application for planning permission are not expressed in precise terms and details should be agreed.
10. As to landscaping and boundary treatment, the proposed site plan shows the construction of a low timber fence around the roadside corner of the plot and the retention of the existing willow tree. There is no need to seek further details or to control domestic planting. However, it is important that the retained tree is suitably protected during construction works.
11. I have redrafted some of the suggested conditions for clarity and precision.
12. For the reasons given above the appeal is allowed.

David MH Rose

Inspector