



Appeal Decision

Site visit made on 11 February 2022

by **I Radcliffe BSc(Hons) MRTPI MCIEH DMS**

an Inspector appointed by the Secretary of State

Decision date: 3rd March 2022

Appeal Ref: APP/X3025/W/21/3285599

Land to the rear of 164 Southwell Road West, Mansfield, Nottinghamshire NG18 4HB

- 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 & Mrs J Morroll against the decision of Mansfield District Council.
 - The application Ref 2021/0369/FUL, dated 7 May 2021, was refused by notice dated 1 September 2021.
 - The development proposed is a dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

Character and appearance

3. Southwell Road West in the vicinity of the appeal address is characterised by large, detached houses separated by wide gaps. The rear gardens to these houses are long, wide and open. Whilst the other houses that enclose these rear gardens on Clifton Grove and Jenny Becketts Lane are smaller and more closely spaced their narrower rear gardens are also long. As a result, the appeal site, which occupies the majority of the rear garden to 164 Southwell Road West, is located towards the centre of a significant area of rear gardens which are predominantly free of built development. In private views from the many surrounding houses this forms a notable part of the character and appearance of the area.
4. Previous schemes for residential development on the site dismissed on appeal were either wholly in outline or only considered access and siting. The absence of detail in these proposals meant that it was only possible for the Inspectors who dealt with these appeals to assess the effect of housing development in general terms on the character and appearance of the area. The current scheme provides full details of what is proposed which enables a more specific assessment to be carried out.
5. Owing to the local topography, the appeal site is in a prominent position: overlooked from a higher level by the rear of houses on Clinton Grove, and in an elevated position with regard to the neighbouring houses on Southwell Road West

to the north west and in relation to the rear of houses on Jenny Becketts Lane. As a result, the scale of any proposed development needs to reflect this. The proposed dwelling would be a chalet bungalow large enough to contain four bedrooms and two bathrooms within the roof space. The resulting height, scale and bulk of the proposed dwelling would mean that it would dominate its surroundings and unduly urbanise the rear garden. Whilst the dwelling would only be readily visible in private, rather than public views, this would not diminish the harm to the character and appearance of the area that would occur.

6. The proposed site access to one side of the house at No 164 would sit comfortably within the street scene. By virtue of the setback of the proposed dwelling from Southwell Road West and other neighbouring streets, it would also not be readily visible in the public realm. However, these positive aspects of the proposal's design do not overcome the cogent planning objections in relation to the scale of the proposed dwelling that I have described.
7. Taking all these matters into account, I therefore conclude that the proposed development, by virtue of its inappropriate scale, would fail to integrate with the immediate topography, nearby dwellings and their gardens. As a result, it would unacceptably harm the character and appearance of the area, contrary to policy P2 of the Mansfield Local Plan. This policy, amongst other matters, seeks development that creates a strong sense of place with development that is appropriate to its context in terms of scale. It would also be contrary to paragraph 130 of the National Planning Policy Framework ('the Framework') in that it would fail to add to the overall quality of the area.
8. The appeal site is located within the urban boundary of Mansfield where the principle of residential development is supported by the development plan. The proposal though would cause unacceptable harm to the character and appearance of the area, contrary to policy P2 of the Local Plan which seeks good design. As a result, I find that the proposed development would be contrary to the development plan considered as a whole.
9. Other considerations have been put forward in favour of the proposal. These include the social, environmental and economic benefits of providing a family sized dwelling in a location with good access to services and facilities which makes efficient use of land. Paragraph 69c of the Framework also advises that great weight should be attached to the benefits of using suitable windfall sites within existing settlements for homes. However, given the advice in paragraph 134 of the Framework that development that is not well designed should be refused, these considerations are insufficient to outweigh the harm that would be caused and non-compliance with the development plan. Material considerations therefore do not indicate that the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

Ian Radcliffe

Inspector