



Appeal Decision

Site visit made on 29 March 2022

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 19 May 2022

Appeal Ref: APP/J3015/W/21/3285080

42 Greenhills Road, Eastwood NG16 3DG

- 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 Graham Thurgood against the decision of Broxtowe Borough Council.
 - The application Ref 21/00005/FUL, dated 5 January 2021, was refused by notice dated 22 April 2021.
 - The development proposed is a two storey dwelling with associated vehicle access and carparking, re-siting of gates and dropped kerbs.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is within a residential area characterised by dwellings of a variety of sizes and styles. The site is positioned on the corner of Greenhills Road and Moorfields Avenue and would occupy the side garden and part of the frontage to 42 Greenhills Road (No.42). The site of the proposed dwelling currently has a gravelled surface and is predominantly used for parking. No.42 and No.44, across Moorfields Avenue, are both semi-detached properties which are set back from the road junction resulting in generous open corners to both sides, allowing open vistas and a feeling of spaciousness in this immediate area.
4. Open corners to road junctions are a characteristic feature of roads running south off Greenhills Road in the vicinity of the appeal site and these break up the built frontage and contribute positively to the character of the area. Open corners are seen nearby at Owlston Close. Even at Estwic Avenue, which is further away from the appeal site, the set back of the garages and their subordinate scale, and the wider grass verge on the opposite side, reflects the characteristic, spacious junctions.
5. Whilst there is a consensus between both parties that the design, scale and materials of the proposed dwelling would be acceptable, it would occupy practically all of the area between No.42 and Moorfields Avenue resulting in the loss of this open corner and considerably eroding the feeling of spaciousness at the junction. The dwelling would appear squeezed in and cramped on this

prominent corner street frontage and be an over-intensive form of development to the detriment of the wider street-scene and the character of the area. Consequently, the building would not integrate successfully with its surroundings.

6. I have had regard to the proposed garden sizes at the appeal dwelling and No.42 and from all I that have seen on my visit I am satisfied that unlike the significant, harmful impact of the proposed dwelling, the proposed gardens would not look noticeably small or out of place compared to neighbouring gardens in the immediate area.
7. I have reviewed the examples of new development on corner plots elsewhere in the Borough. I have already noted that development to either side of the junction with Estwic Avenue has managed to retain a level of openness to the corners of the road junction. The other examples are not in the immediate vicinity of the appeal site. I have not been provided with full details that led to these proposals being accepted and cannot be certain of any direct parallels that could be drawn with the current proposals. In any case, I have determined the appeal on its own merits and the development proposed would considerably change the open nature of this plot which makes a significant contribution to the street scene.
8. The development would therefore cause significant harm to the character and appearance of the area and conflict with Policy 17 of the Broxtowe Borough Council: Part 2 Local Plan (2019) which requires that new development integrates with its surroundings. This Policy also references Policy 10 of the Greater Nottingham Aligned Core Strategies: Part 1 Local Plan (2014) which relates to local identity and reinforcing local characteristics, and there would also be conflict with this policy. It would also be contrary to the high-quality design expectations of section 12 of the 2021 National Planning Policy Framework (the Framework) and section 5 which seeks to resist inappropriate development in residential gardens where such development would cause harm to the local area.

Other Matters

9. The evidence before me indicates that the proposal is for a self-build dwelling. The Framework recognises the need to provide housing for different groups including for people wishing to commission or build their own homes. However, there is no substantive evidence before me to suggest that the proposal would meet unmet demand on the Council's self-build register. Furthermore, a planning obligation to secure a self-build dwelling has not been provided. This would be the appropriate mechanism to ensure the development would meet the legal definition in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). These factors greatly diminish the positive weight which I afford to the potential provision of a self-build house.
10. I have had regard to other concerns raised by interested parties, including highway safety and use of the existing garage. However, as I have found harm on the main issue for the reasons as given above, I have not pursued these matters further.

Planning Balance

11. The Council does not dispute the lack of a five year supply of deliverable housing land. As such it is for me to determine whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling to assist the Council in addressing its undersupply as set out in paragraph 11 of the Framework.
12. The site has good access to local services, facilities and shops, and will make efficient use of a large garden area. Also, the proposal would deliver an additional dwelling that would add to the Borough's housing stock and meet the Government's aims to boost the supply of housing, but one dwelling would be a limited benefit.
13. The proposal would also lead to some social and economic benefits through the construction of the property and the activities of future residents of the scheme which would attract moderate weight in favour of the proposal. However, these matters do not outweigh my findings in respect of the significant harm that the proposal would cause to the character and appearance of the area. As a result, the environmental role of sustainable development would not be achieved.
14. The appeal proposal would therefore conflict with the development plan and when assessed against the policies in the Framework as a whole, the adverse impacts of granting permission would significantly and demonstrably outweigh the socio-economic benefits of the proposal that I have identified. Therefore, the proposal would not be a sustainable form of development.

Conclusion

15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G Bayliss

INSPECTOR