



Appeal Decision

Site visit made on 30 August 2022

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2022

Appeal Ref: APP/A3010/W/22/3297868

Appledore, Station Road, Ranskill, Nottinghamshire DN22 8LL

- 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 Lee Mcmillan against the decision of Bassetlaw District Council.
 - The application Ref 21/01008/FUL, dated 24 June 2021 was refused by notice dated 19 November 2021.
 - The development proposed is proposed change of use and conversion of domestic garage to residential dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have considered and determined the appeal on the basis of the amended plans submitted with the appeal¹. I am satisfied that no party has been prejudiced by my approach.

Main Issues

3. The main issues are the effect of the proposal on:
 - the living conditions of future occupiers with particular regard to privacy and access to private outdoor space;
 - the character and appearance of the area;
 - highway safety.

Reasons

Background

4. The appeal property is a detached garage building which is accessed between and to the rear of two large detached two and a half storey modern dwellings (Appledore and Fairview). The proposal would convert that garage into a two-bed dwelling with an integral garage. This would involve among other things the insertion of two patio doors in the north facing elevation and three dormer windows in the south facing roof slope. All works would be undertaken using materials matching those of other dwellings nearby and the proposal would utilise an existing access.

¹ Proposed Elevations Ranskill 2190-004C April 2022, Amended Proposed Site Plan Ranskill 2190-006D April 2022 and Aerial View 2 Ranskill.

Living conditions

5. I accept any views into or out of the proposed roof lights would be limited. However, the rear elevations of Appledore and Fairview have first and second floor windows / doors which would have clear views over the boundary fencing down into the majority of the outside space at the front and side of the proposed dwelling. These windows / doors would also afford views into the proposed dwelling through the proposed patio doors which would serve the main living space comprising a lounge, kitchen and dining area.
6. I accept, the view to the south from the proposed dormer windows would be over countryside contributing to a healthy lifestyle for future occupiers. I also note, the proposed outside space would have direct access from a habitable room, is arguably innovative as a space serving a conversion and would provide some 143 square metres of space in excess of the 50 metres squared recommended in the Successful Places: A guide to Sustainable Housing Layout and Design Supplementary Planning Document (2013) (SPD).
7. However, for the reasons given above the majority of the proposed usable outside space would not be private. Any landscaping screening would take some time to become established and without substantive evidence to the contrary I am not satisfied landscaping would overcome the harm I have identified.
8. Thus, for these reasons, the proposal would result in harmful living conditions for future occupiers with particular regard to privacy and access to private outdoor space. The scheme would therefore conflict with Policy DM4 of the Bassetlaw Core Strategy and Development Management Policies Development Plan Document (2011) (CSDMPDPD) which seeks, amongst other things, to ensure new development provides a high standard of amenity for residents. In this regard and insofar as is relevant to this appeal Policy DM4 of the CSDMPDPD is consistent with the good design aims of the National Planning Policy Framework (the Framework).

Character and appearance

9. The appeal site is in a residential area characterised by dwellings of a variety of styles mainly arranged along and facing the road. This gives the area a varied and linear residential character and appearance.
10. Whilst the use of the building as a dwelling would result in the introduction of domestic paraphernalia, increased activity and more vehicles parked these effects would not be noticeable through the gap between Fairview and Appledore and the appeal building is already in place and visible from the road. Furthermore, the visual changes to the appearance of the appeal building, when viewed from Station Road and the surrounding area would be minimal and insignificant.
11. Thus, in my view, the character and appearance of the appeal site would not significantly change as a result of the scheme. Consequently, there would be no harm to the character or appearance of the surrounding area and no conflict with Policy DM4 of the CSDMPDPD which among other things seeks to ensure new development respects the character of its surroundings and is of an appropriate design.

Highway Safety

12. The proposal would result in a two-bed dwelling with two allocated parking spaces. Whilst some parking for Appledore would be lost, both Appledore and Fairview have ample off-street parking in front of them. In any event paragraph 111 of the Framework makes clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
13. On street parking is freely available in the area, there is no substantive evidence to suggest the proposed development would generate parking issues or manoeuvring issues associated with the existing access such that there would be any reason to believe highways safety in the area would be compromised. Indeed, the access is currently used to access the double garage and there is no substantive evidence to suggest this is posing any risk to highway safety in the area.
14. Overall, I find no substantive evidence to suggest the scheme would harm highways safety in the area. I must therefore conclude it would not have any harmful effect on highway safety in the area. In this regard the scheme would therefore accord with Policy DM4 of the CSDMPDPD and paragraph 111 of the Framework which seek to ensure good design generally and that new development does not compromise highway safety.

Other Matters

15. In reaching these conclusions I accept the appeal scheme would provide a new dwelling adding to supply and choice in the area. It would be in a location where services, facilities and employment can be easily accessed through a range of sustainable transport choices. I accept the proposal would represent the reuse of an existing building on previously developed land. There would also be economic benefits associated with construction and local expenditure as a result of a new household in the area. However, even if I were to accept the scheme would meet a specific need for such housing in the locality, this benefit, combined with all others, would be insufficient to outweigh the harm I have identified associated with living conditions.

Conclusion

16. Overall, whilst I have found no harm to the character and appearance of the area or highway safety, I have found the scheme would lead to harmful living conditions. Thus, having regard to all other matters raised, on balance, I find the scheme would fail to accord with the development plan and the appeal should be dismissed.

L Fleming

INSPECTOR