



Appeal Decision

Site visit made on 18 October 2022

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 November 2022

Appeal Ref: APP/B3030/W/22/3302564

Greenoakes, 1 Station Close, Collingham, Nottingham NG23 7RB

- 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 D Holderness against the decision of Newark & Sherwood District Council.
 - The application Ref 22/00509/FUL, dated 8 March 2022, was refused by notice dated 7 April 2022.
 - The development proposed is demolition of existing dwelling and construction of new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the development on the character and appearance of the area and the effect of the development on adjacent properties.

Reasons

Character and appearance

3. The appeal site is a detached single-storey dwelling located at the end of a cul-de-sac on the edge of the village of Collingham. The site is located to the south of two properties that are sited on Station Road. The area is predominately residential in nature.
4. The appeal proposal seeks to demolish the existing single storey dwelling and replace it with a new dwelling which would be larger and taller than the existing property. The plans appear to show that the property would be clad with a tiled roof.
5. Since this application was refused and subject to this appeal, another application has been submitted to and approved by the Council. This dwelling would be smaller in dimensions than the appeal proposal and be of brick construction.
6. Station Close is a cul-de-sac primarily made up of two single storey dwellings, both dwellings of modest proportions. The property located opposite is virtually identical in design to the host dwelling in the appeal site, and whilst there are properties that appear within the context of Station Close, these are actually properties with a Station Road postal address. Overall, there is a relatively traditional feel to the locality.

7. The proposed dwelling would be more contemporary in nature, with cladding, rather than brick exterior predominately utilised in the locality. The design would have a feature gable on the south elevation, taking advantage of the southern aspect of the location. The northern elevation that faces the Station Road properties would be blank except for a small window.
8. I find that the nature of the new build, whilst it is trying to respect the locality in which it is situated, would look incongruous within the locality, by means of the nature of construction and of its increased height when seen in the context of the property opposite and the considerably increased footprint would also magnify this when seen in the street scene with the property opposite.
9. As such, I find that the new dwelling would not respect the character and appearance of the area and would be in conflict with Core Policy 9 of the Newark and Sherwood Amended Core Strategy (2019) and Policy DM5 of the Allocations and Development Management Development Plan Document (2013) (the ADM) which, amongst other matters, expect development to be of an appropriate form and scale to its context complementing the existing built and landscape environments.

Effect on adjacent properties

10. The Council have referred to the increased height of the proposed dwelling in comparison to the existing dwelling, and its effect on the rear private amenity spaces of the nearest Station Road properties.
11. From the evidence in front of me it would appear that the proposed dwelling would be approximately 2m higher than the existing dwelling, and this additional height, according to the Council, would result in an overbearing or overshadowing impact of the private amenity areas of the Station Road properties, compounded with the almost blank elevation of the proposed dwelling that would face those properties.
12. In this instance, I must take into consideration the fallback position. The Council have, since the refusal of this application, subsequently approved a revised scheme which reduced the depth and height of the proposed dwelling, as well as change the construction materials to red brick.
13. According to the detail of the revised dwelling, the increase in height was reduced to 0.6m, approximately 1.3m lower than the refused scheme. And this was found to be acceptable to the Council.
14. I note that the Council were concerned by the relative position of the appeal proposal and the existing dwellings, but I fail to be convinced that the additional increase in height from the approved dwelling when compared to the appeal dwelling in front of me, would lead to a level of additional harm that would be significant enough to cause material harm to the amenities of the Station Road properties. The Council have also raised the issue of low winter sun causing additional effect, but in the winter months, it is unlikely that the rear areas would be used as much as the summer months, and I am satisfied that this would not cause a level of material harm significant enough to warrant a refusal on this issue.
15. As such, I find no conflict with policy DM5 of the ADM which expects development to avoid unacceptable reductions in amenity including overbearing impacts, loss of light and privacy.

16. Nonetheless, given the harm that I have identified for the other aspect of the development, any positive outcome in relation to the impact on existing residents would be outweighed by other matters, and does not change my determination of the appeal.

Conclusion

17. The proposal conflicts with the development plan and there are no other considerations that outweigh this conflict. For the reasons outlined above, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR