



Appeal Decision

Site visit made on 13 December 2022

by D Barlow BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 January 2023

Appeal Ref: APP/B3030/W/22/3302021

37 Cleveland Square, Newark-On-Trent, Nottinghamshire NG24 4HJ

- 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 Mark Rogers against the decision of the Newark and Sherwood District Council.
 - The application Ref 22/00243/FUL dated 3 February 2022, was refused by notice dated 15 March 2022.
 - The development proposed is for a new self-build 3 bedroomed detached affordable dwelling with parking for 2 small family cars, a cycle store and refuse bin shelter with surrounding hard and soft landscaping; retaining all trees, hedges, walls and fencing.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council make reference to discrepancies regarding a garage within the description of development, however the application form and plans attached make no reference to a garage so I have determined the appeal on that basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area and the effect on highway safety, with regard to parking.

Reasons

Character and Appearance

4. The immediate area is a typical post war suburban low density housing estate consisting largely of brick built semi-detached housing that is generously spaced to allow views between the properties. The houses are set back from the pavement and incorporate front gardens and driveways with off street parking. The roof styles are principally pitched and hipped with some variety introduced by eyebrow gables on a number of the front elevations. A large central open space area, incorporating a play area and several trees adds to the open feel of the surroundings.

5. The host property is a two-storey brick semi-detached house similar in style to neighbouring properties, with a steep pitched roof. The side garden in which the proposed property would be built, is enclosed by a timber screen fence and has a Tree Preservation Order (TPO) on a mixed group of trees around its North and West boundaries which would be affected by the proposal. According to the Arboricultural Assessment (Dated 17 June 2022) three trees would need to be removed, together with a group of shrubs in the Western corner of the site. It would appear that only one tree (T3) would remain on the Western boundary which would undoubtedly impact on the character of the area and cause harm by virtue of the loss of many of the recently TPO'd group of trees. Whilst they are classified in the Assessment to be of low quality, as a group they contribute positively to the street scene and as they have a life expectancy of at least 10 years, I see no sound reason for their removal.
6. The design of the proposed dwelling, whilst having similar characteristics to the host dwelling and with a hipped roof, would represent a cramped form of development which would diminish the open character of the area. The lack of space between the proposed house and host property would also make the built form appear bulky and overbearing when viewed from the road. The appellant has provided examples of other roof styles and parking arrangements within the immediate area, however there are no new infill plots that I could observe on my visit and they are therefore not comparable to the proposal before me.
7. I therefore conclude that the proposal would harm the character and appearance of the area. It would cause conflict with Policies DM5 and DM7 of the Development Plan Document (DPD)(adopted July 2013) and Core Policy 12 of the Amended Core Strategy (CS)(adopted March 2019)which seek amongst other things to retain trees unless justification is given and to protect natural features of importance within or adjacent to development sites. It would also conflict with Core Policy 9 of the CS that states all new development should achieve a high standard of design and complement the existing built and landscape environments. Lastly, it also conflicts with the design objectives of the National Planning Policy Framework.

Highway Safety

8. With regards to the parking arrangements associated with the proposal, I note from the drawings that the driveway is somewhat contrived due to the restrictions of the site. It might be possible to park two cars off road, albeit the one parked in the hammerhead could not access the highway if the other one was occupied. This would create a similar tandem type arrangement, as is proposed for the host dwelling which is discouraged in the Residential Cycle and Car Parking Standards and Design Guide (SPD) (June 2021). The length of the parking spaces proposed would also not meet the standards specified in Key Principle 2 in the SPD.
9. Due to the tandem development, one vehicle would have to reverse into the road to allow the other out. Although the road is a cul-de-sac and therefore would not experience much traffic movements, the vehicles would have to reverse over the footway, which would present an unacceptable risk of conflict between the reversing vehicle and pedestrians. In addition, the inadequate length of the parking spaces would likely result in a vehicle overhanging the

footway. As a consequence, pedestrians may have to step into the road to circumvent the parked vehicle, compounding the risk to pedestrian safety.

10. I therefore conclude that the proposal would result in unacceptable harm to highway safety. As such, it would not comply with Spatial Policy SP7 of the CS which seeks to ensure development provides appropriate and effective parking. It would also conflict with the SPD as detailed above.

Other Matters

11. The proposed house is described as an affordable dwelling, however no information has been given as to what price level it would be, or how the affordability is calculated, or indeed whether the end purchaser would be a Registered Social Landlord. I have therefore attached little weight to this aspect of the proposal.
12. Whilst the proposed dwelling would make a contribution to the housing stock in the Borough, I note there is no current housing shortfall and as previously mentioned, no evidence has been submitted for me to view it as anything other than an open market house.

Planning Balance and Conclusion

13. The proposal would make a positive contribution to the housing supply in the borough. However, this would not outweigh the harm I have identified with regard to the character and appearance of the area.
14. For the reasons given above and having regard to the development plan as a whole and all other relevant considerations, the appeal is dismissed.

D Barlow

INSPECTOR