



Appeal Decision

Site visit made on 13 July 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2023

Appeal Ref: APP/N3020/D/23/3321417

127 Nottingham Road, Ravenshead, Nottingham, NG15 9HJ

- 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 A Reek against the decision of the Gedling Borough Council.
 - The application Ref 2022/1340 dated 6 December 2022, was refused by notice dated 24 February 2023.
 - The development proposed is new detached double garage.
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Decision

1. The appeal is allowed, and planning permission is granted for new detached double garage at 127 Nottingham Road, Ravenshead, Nottingham, NG15 9HJ in accordance with the terms of the application ref 2022/1340 dated 6 December 2022 subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
 - 2) The development shall not be carried out except in complete accordance with the details shown on submitted plans: PL01 – Location Plan, PL03 – Proposed Block Plan, PLO4 – Proposed Garage Elevations, PLO5 – Proposed Garage Plan and PLO6 – Proposed Section X-X.
 - 3) The materials used in the development hereby permitted shall match those of the existing dwelling or those stated on the submitted application form as appropriate unless details are submitted to, and approved in writing by, the Local Authority.

Main Issue

2. The main issue is the impact of the proposal upon the street scene and visual amenity of the area.

Reasons

3. The appeal site is a two storey, detached, dwelling located within an established residential area. The property is within a row of detached dwellings that are all accessed via a private service track, with two access points, which runs parallel with Nottingham Road. The appeal proposal seeks to erect a detached double garage within the front garden. At the time of my site visit, I found that the dwellings in the immediate area of the appeal site are not of a uniform character with them being of varying styles and materials creating more bespoke and varied designs. The front of the appeal site is enclosed with boundary fencing and gates, and views from Nottingham Road are limited due to the established row of trees, distance and general vegetation between the

appeal site and Nottingham Road itself. Any views of the appeal site, from Nottingham Road, would essentially be limited to views from the access point to the northwest.

4. The appeal site is noted to stand within a row of development that is set some distance from the road, behind front gardens and that many of the properties have spacious front gardens/driveways. The building line of this row of dwellings is noted to be relatively consistent, however, there are examples of built form projecting forward of the general building line including a neighbouring garage as has been evidenced within the appellants submission. I acknowledge that this example is not detached, but it does nonetheless demonstrate a garage forward of the building line in a location which is arguably more visually prominent than the appeal site before me and there are other examples of garages within the wider vicinity.
5. The overall site levels fall away from the road and the garage would, in order to be built on level ground, need to be partly sunk into the existing site levels at the top of the front garden/driveway. This would enable the proposal to be partly concealed behind the existing fencing and any limited views would be in conjunction with the existing dwelling from this angle. In addition, the garage would be single storey and would be sited to one side of the front elevation, which would clearly allow any views of the property (particularly from within the service road itself) to be retained and it would be subservient to the host dwelling. It would be assisted by matching materials to the host dwelling.
6. I find that the existing landscaping and boundary treatments would provide a good level of partial screening to the garage resulting in it not being particularly obtrusive or incongruous within the street scene and that this would respect the varied character of the area. As a result of its limited visibility, against the house and behind the fencing, I do not find that the proposal would result in detrimental impact to the visual amenity of the area which would warrant refusal. Overall, I find that as a result of the varied style of properties, the set back from Nottingham Road due to the service road, boundary treatment and established tree line, the site would not have such a sensitivity to change as a result of proportionate and well-designed development which is, in this case, forward of the dwelling. As a result of this I find that the scale, location and design would be appropriate for the character of the area and would not result in an incongruous feature in the street scene which would harm the visual amenity of the area.
7. The proposal would be consistent with Greater Nottingham Aligned Core Strategies Part One Local Plan 2014 Policy 10, which confirms that all development should be designed to make a positive contribution to the public realm and sense of place, and will be assessed in terms of massing, scale and proportion, as well as materials, architectural style and detailing. The proposal would also be consistent with section 12 of the National Planning Policy Framework 2021, particularly paragraph 130, which seeks to ensure that developments are sympathetic to local character and history, including the built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change.

Other Matters

8. I note a letter of representation, objecting to the proposal. The loss of trees in the rear garden are not related to the proposal which is before me. Loss of

property value is not a material planning consideration, nor is there a right to a view. The Council has assessed the proposals impact upon residential amenity and no refusal reason has been stated on this basis. Based upon the evidence before me, and my site visit, I have no reason to conclude differently on this element. Whether or not the property already has a garage is, in this case, of no relevance to the assessment of the appeal which has been considered on its own merits. Proposals should be assessed on the basis which they are submitted. Any future use of the building, for example to operate a business, would be subject to further planning control and require subsequent permissions and could not be utilised as a reason for refusal at this stage.

9. It is inevitable that construction works may cause some disruption. Despite this, the construction works for a proposal of this size would be limited in both nature and duration and I have no evidence before me to consider that the proposal would, for example, require a construction management plan given that the driveway to the property itself is large which should be able to accommodate construction traffic and, in addition, the property benefits from a further two reserved parking spaces on the opposite side of the access track outside the appeal site (noted at the time of my site visit). I would, therefore, consider that there is sufficient space in and around the property to allow appropriate access for the majority of the construction works in question.

Conditions

10. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A condition relating to materials are required to ensure a satisfactory external appearance which is in keeping with the host dwelling.

Conclusion

11. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR