



Appeal Decision

Site visit made on 3 October 2023

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 23rd October 2023

Appeal Ref: APP/B3030/W/23/3321440

Land to the west of Cherry View, Bilsthorpe Road, Eakring NG22 0DG

- 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 Darrell Hyde against the decision of Newark & Sherwood District Council.
 - The application Ref 22/02213/FUL, dated 15 November 2022, was refused by notice dated 5 January 2023.
 - The development proposed is the erection of 1no. single-storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, having particular regard to whether the proposal would preserve or enhance the character or appearance of the Eakring Conservation Area.

Reasons

3. The site lies within the Eakring Conservation Area, which derives significance from its rural, agricultural character, historic plot boundaries and dense road network. The area is characterised by cottages of varying age, dispersed between verdant gardens and verges. Whilst I note that historic maps indicate numerous outbuildings, the appeal site currently comprises an open corner plot which forms part of the garden of Cherry View Cottage devoid of any built development.
4. The plot is largely enclosed by mature hedges with ground levels higher than the road, retained behind a brick wall. Although not visible in long views when approaching the village or noted within the Conservation Area Appraisal, the appeal site is prominent upon entering the village and positively contributes to the open rural character of the area, providing a gradual transition between the open countryside and the dense historic village core.
5. Although the proposal would be single storey in height and would be in keeping with the scale and design of the surrounding properties and local vernacular, it would fill a large proportion of the street frontage. Whilst it would reflect the traditional pattern of ribbon development along Bilsthorpe Road and would be subservient to Cherry View Cottage, it would urbanise the plot and significantly diminish the contribution that it makes to its open rural setting.
6. Due to its elevated corner plot position and despite the retained hedge, the proposal would appear unduly prominent when entering the village and would

result in an abrupt transition between the village and the countryside. When viewed in combination with the surrounding properties, including those that have been recently constructed ^{1,2}, the appeal site would appear cramped, greatly reducing the sense of openness. Consequently, the proposal would result in less than substantial harm to the character and appearance of the CA, a matter to which I attribute great weight.

7. I note that trees have been removed from site since the previous application³ and that the proposal would provide four replacement trees. Whilst I have little evidence indicating the contribution that the removed trees made to the CA, the proposed trees would be concentrated to the rear of the site and their contribution to the CA would be minimal. Moreover, they would not diminish the effect of the building within its context.
8. My attention has been drawn to an appeal case to the north of the appeal site, Hawthorn House⁴. However, there are fundamental differences to the appeal proposal, including its location and the positions of surrounding buildings and highways. As such, the context differs significantly to that of the scheme before me, and so it does not lead me to a different view in this case.
9. Therefore, I conclude that the proposal would harm the character and appearance of the area and would fail to preserve the character and appearance of the Eakring Conservation Area. The proposal would conflict with Spatial Policy 3, Core Policy 9, Core Policy 12 and Core Policy 14 of the Plan Review, Review of the Newark & Sherwood Local Development Framework Core Strategy & Allocations, Amended Core Strategy (March 2019) and Policies DM5 and DM9 of the Newark & Sherwood Local Development Framework Allocations & Development Management Development Plan Document (July 2013). Collectively these policies require development to be of an appropriate form and scale to complement its setting, conserve and enhance historic environments whilst taking account of open spaces, and protect and enhance natural features. The proposal would also conflict with the National Planning Policy Framework (the Framework) where it seeks to ensure developments are sympathetic to local character and history.

Other Matters

10. The proposal would provide a two-bedroomed dwelling in line with the Council's latest Housing Needs Assessment and would be suitable for households with limited mobility. It would contribute to the housing mix and supply in the area. Further, the proposal would provide jobs in the short term while future occupants would support local services and facilities in the long term. Whilst the Framework seeks to boost the supply of housing, the social and economic benefits of a single dwelling would be limited. Although the proposal would reinforce the existing boundary hedge which is an important natural feature within the CA, this would not compensate for the effect of the building within its context. Overall, these matters would not outweigh the harm identified above.
11. The proposal would preserve the amenity of surrounding properties. It would not generate excessive car-borne traffic or have a detrimental impact on local

¹ Application Reference 20/00879/FUL

² Application Reference 19/01701/FUL

³ Application Reference 20/00348/FUL

⁴ Appeal Reference APP/B3030/W/20/3262031

infrastructure. There have been no objections raised by the local Highway Authority, the Ramblers Association, the Council's Rights of Way Officer or the Historic Environment Officer. However, these are neutral matters which neither weigh in favour of, or against the proposal.

12. I note that the Council's position regarding the benefits of a single-family dwelling in relation to Regency Cottage⁵. Although located in close proximity, the appeal site has a different context to that of Regency Cottage. Further, I have not been provided with the full details of the scheme or the circumstances surrounding the grant of planning permission. In any case, I have reached my own conclusions on the appeal proposal on the basis of the evidence before me.

Conclusion

13. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR

⁵ Application Reference 19/01701/FUL