



Appeal Decision

Site visit made on 7 November 2023

by C Billings BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th December 2023

Appeal Ref: APP/N3020/D/23/3328442

106 Ramsey Drive, Arnold, Nottinghamshire NG5 6QQ

- 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 Samuel Bosacki against the decision of Gedling Borough Council.
 - The application Ref 2023/0031, dated 14 January 2023, was refused by notice dated 30 June 2023.
 - The development proposed is the erection of a single storey bricked outbuilding with double pitched roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit construction of the outbuilding had commenced, yet it was not complete.
3. The appellant has put forward proposed amended plans to alter the roof design, to have a shallower roof pitch and a lower ridgeline of approximately 500mm compared to the plans considered by the Council. In respect of the proposed amended plans, I have had regard to the *Holborn Studios Ltd v The Council of the London Borough of Hackney* (2017) judgement, which is a more recent relevant case in respect of the consideration of amended plans than the *Wheatcroft* judgement. As the proposed amended plans reduce the overall height of the outbuilding by less than 1 metre, this does not make a substantial difference to the proposed development and there would be no unfairness caused to any party by such amendments. I have therefore had regard to the amended plans in reaching my decision.

Main Issue

4. The main issue is the effect of the proposed outbuilding on the character and appearance of the surrounding area.

Reasons

5. The appeal site is a corner plot, with garden to the side, front and rear. Ramsey Drive is a steeply sloping road, with the appeal site part way up the slope. There is an existing tall evergreen hedge along part of the boundary with Ramsey Road, adjacent to where the outbuilding is to be located. Around the remainder of the rear/side garden boundary there is a standard close boarded fence of approximately 1.8 metres high.
6. The design of the proposed outbuilding, whilst single storey, would include a raised floor area, to accommodate the existing changes in ground levels across

the site and would be a tall structure, with high walls and roof, extending up to a height of some 5 metres above ground level. This together with its position forward of the host dwelling and the front elevations of neighbouring dwellings continuing down Ramsey Drive (No 104 and 102 onwards) would result in the building appearing visually prominent in the street scene.

7. Whilst the existing boundary hedge would be adjacent to the outbuilding and obscure most of it from immediate views to the side in Ramsey Drive, the end gables of the outbuilding would be very prominent from either side on approaching it along Ramsey Drive.
8. The proposed revised roof design of the outbuilding would reduce its overall height by approximately 500mm. However, the eaves level and other dimensions of the building would be as originally proposed. As a result, the building would not appear significantly less prominent in the street scene than the original proposal. Furthermore, the altered roof design, whilst lower would not appear as proportionate in design and form to the remainder of the building, when compared to the original design, making the roof appear squat and contrived.
9. There are examples of outbuildings in the surrounding area, which are forward of the dwelling building lines and visible within the street scene. However, such buildings tend to be much lower structures than that proposed and, include flat or very shallow pitched roofs that do not appear discernibly above the boundary fences.
10. Also, the examples provided by the appellant, including along Trueman Gardens, Cowdrey Gardens and Sobers Close are not comparable to the appeal proposal, as they are not within the immediate vicinity of the appeal site and, have a different site context of a continuing line of garages and sheds, set forward of the elevations of the host dwellings. In comparison, Ramsey Drive is a wider, more open through road, that typically does not have many outbuildings forward of the building line that defines its character. I therefore only give limited weight to the presence of these other buildings.
11. The examples of development which are forward of the original building line at corner plots are noted. But these are not directly comparable to the proposal as they do not lie within the immediate vicinity of the site and relate to different forms of development. The example at 2 Armfield Road relates to a side two-storey extension, and the development to the side of 2 Stolle Close is for a new dwelling. Whilst this new dwelling is forward of the original building line, there is a hedge that continues along the length of the side boundary and the property does not appear overly isolated or prominent in its location, particularly as the road/ground levels along this part of Ramsey Drive differ to that surrounding the appeal site. These other examples therefore have little weight.
12. Whilst I acknowledge that there was a shed in the general location of the proposed outbuilding, the photos provided show that such previous building was smaller and had a much lower height than the proposal and did not appear overly prominent in the street scene.
13. In view of the above, the proposed outbuilding would have a detrimental effect on the character and appearance of the surrounding area, in conflict with

Policy 10 of the Great Nottingham Aligned Core Strategies Part 1 Local Plan (2014) and Policies LPD 34 and LPD 43 of the Gedling Borough Local Planning Document Part 2 Local Plan (2018), which amongst other matters, require development to respect the character and appearance of an area.

Other Matters

14. I recognise that the appeal site is not within a Conservation Area, it is not a listed building, and nor is it visible from the Green Belt. I also note there are no neighbour or highway objections. However, the lack of such concerns does not count positively in favour of the appeal proposal.
15. I appreciate the proposed outbuilding would leave sufficient remaining garden space for the occupiers of the host property, and that it would be a quality building, using comparable materials to the host dwelling. However, these matters do not overcome the harm that would be caused to the character of the surrounding area, due to the scale and position of the outbuilding.
16. The use of the outbuilding, incidental to the enjoyment of the host dwelling, is not a matter of dispute and would not outweigh the harm I have identified.
17. The appellant's statement sets out that the needs of the appellant should be balanced against the generic planning policies. However, I do not have any substantial evidence setting out that the existing dwelling is substandard or what the particular needs of the appellant are in relation to the proposed outbuilding. Also, it is not clear why a building of this scale and position is necessary to meet such needs. Therefore, these matters have little weight.
18. In respect of the National Planning Policy Framework (the Framework), the mere cost of the development would not represent a positive economic objective that supports the wider economy. The proposal would be for the needs of the appellant and any future occupiers of the host dwelling. It would not be of benefit to the wider community. Also, whilst the proposal would be on land within a garden and occupy the footprint of a previous building, I have found harm in relation to the character and appearance of the area. Accordingly, it would not meet the environmental objectives of sustainable development, as set out in the Framework.

Conclusion

19. For the above reasons, the proposal is not in accordance with the development plan taken as a whole. There are no material planning considerations, including the Framework, to indicate a decision other than in accordance with the plan.
20. I therefore conclude that the appeal should be dismissed.

C Billings
INSPECTOR