



Appeal Decision

Site visit made on 22 January 2024

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 March 2024

Appeal Ref: APP/B3030/W/23/3329681

**Land off Old Great North Road, Sutton on Trent, Nottinghamshire
NG23 6QJ**

- 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 Richie Pindor against the decision of Newark & Sherwood District Council.
 - The application Ref 23/00789/FUL, dated 9 May 2023, was refused by notice dated 15 August 2023.
 - The development proposed is erection of one 5 bedroom house with a detached garage and associated parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would preserve or enhance the character or appearance of the Sutton on Trent Conservation Area.
 - The effect on trees.

Reasons

Conservation Area

3. The appeal site is a generally rectangular plot of vacant undeveloped land with dispersed tree coverage and dense hedgerow marking the site's boundary with Old Great North Road within the village of Sutton on Trent. The site is located between the plot of a 2 storey detached dwelling on one side and a pair of 2 storey semi-detached cottages on the other.
4. The site is located within the Sutton on Trent Conservation Area which covers most of the built up form of the village and open spaces beyond. It is characterised by a linear pattern of buildings along a grid of lanes adjacent to Old Great North Road with a variety of historic buildings and spaces. The historic layout of the Conservation Area is predominantly defined by rectilinear buildings that either front onto or are gable end facing the street, often directly onto or close to the highway. Most are of a simple vernacular style. This contributes to the significance of the Conservation Area.

5. The total width of the proposed dwelling would span some 17 metres, a scale much larger than other buildings in this part of the settlement. Whilst the appellant identified that the neighbouring dwelling at No 20 Hemplands Lane has an overall frontage of some 21 metres, the garage and conservatory which are included in this are visually distinctive and separate elements and as such visually it does not have the same size, scale or massing as the proposed development. Other properties referenced by the appellant are further away from the appeal site where the immediate surroundings are different and therefore the impact is different.
6. The scheme would retain visual gaps between the existing properties and the retention of hedgerow would provide some screening. In addition, some design details, the height of the development and proposed materials seek to blend in with the surroundings and include elements of the historic vernacular. However, the size of the dwelling would not be reflective of the character and modest architecture of that part of the Conservation Area.
7. The appellant has acknowledged that the proposed angled side addition is not a common feature of dwellings within the village, citing only one example in the form of the former pub. I do not consider this example directly comparable as it has clearly been divided into a number of dwellings. It is evident that the angled outbuilding at No 25 Great North Road, also cited by the appellant, does not form part of the dwelling. I do not therefore consider the angled side addition to be characteristic of the village and I am of the view that it would appear incongruous in the street scene.
8. The size of the plot would be able to accommodate the dwelling but the scale of the development, as it would appear in the street scene, would be out of keeping with the immediate surroundings. In reaching my conclusion I have had regard to Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
9. Having regard to paragraph 208 of the National Planning Policy Framework, the harm caused to the Conservation Area would be less than substantial, and so needs to be weighed against the public benefits.
10. The development would be located in a Principal Village and meet an identified housing need. This is given substantial weight in favour of the development. However, this is tempered by the nature of the development being a single dwelling which limits the weight given to the contribution it would make to the housing land supply. The single dwelling proposed would not be sufficient to outweigh the harm identified.
11. The development would not preserve or enhance the character or appearance of the Conservation Area. As such it would conflict with the part of Core Policy 9 of the Newark and Sherwood Amended Core Strategy (Core Strategy) and the part of Policy DM5 of the Newark and Sherwood Allocations and Development Management DPD 2013 (ADMDPD) which require new development to be of high quality design and reflect the local character of built form. It would also conflict with Core Policy 14 of the Core Strategy 2019 and Policy DM9 of the ADMDPD. Amongst other things, these policies require new development to preserve and enhance the special character of Conservation Areas.

Trees

12. The Council is concerned that the level of proposed tree retention at the rear of the proposed garden would lead to later pressure for felling. However, there is little before me to substantiate this.
13. The tree constraints plan in the Arboricultural Impact Assessment includes an assessment of the impact of shadowing from the trees. The assessment identifies that the trees are sufficiently distant from the proposal to ensure the pressure for tree removal remains low. There is little before me to demonstrate otherwise, either with regards the current situation or in the future. Based on the information before me, the development would not cause harm to the retained trees. The development would not therefore conflict with the parts of Policy 12 of the Core Strategy and Policy DM7 of the ADMPDP which require new development to protect and enhance biodiversity and green infrastructure.

Other Matters

14. The appellant has referred to an appeal at 16a Hemplands Lane in support of their case. Whilst the site abuts the appeal site it fronts onto a different road where the character and appearance of the dwellings are different. This limits the weight I attach to it.

Conclusion

15. On the evidence before me the development would not harm existing retained trees on the site. However, the development would not preserve or enhance the character or appearance of the Sutton on Trent Conservation Area. For the reasons identified, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR