



Appeal Decision

Site visit made on 8 May 2024

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 MAY 2024

Appeal Ref: APP/Q3060/W/23/3335677

2 Sedgewood Grove, Nottingham NG11 8FP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Miss T Lovatt against the decision of Nottingham City Council.
 - The application Ref is 23/01563/PFUL3.
 - The development proposed is the erection of dwelling to side of existing dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would provide satisfactory accommodation for its future occupants, with regard to private amenity space, and
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Living Conditions

3. The proposed dwelling would be provided with garden areas to three sides. Of these areas, the private garden area to the rear would however be of a limited size. Although the Council do not have standards for the minimum size of a rear garden, the limited area of this private amenity space, even without the ramp, would not provide sufficient space for outdoor recreation and other typical domestic garden activities. The proposed parking to the existing and proposed dwellings would be close to the rear garden of the new dwelling, but it would be separated from it by a 1.8m fence and I do not consider the quality of the space would be compromised by the parking arrangements proposed.
4. Although reference has been made to amendments that could have been made to increase the size of the rear garden, I am required to determine the appeal scheme that is before me.
5. I conclude for the reasons set out above that the development proposed would not provide satisfactory accommodation for its future occupiers, having regard to private amenity space. Accordingly, it would conflict with Policy 10 of the Aligned Core Strategies Part 1 Local Plan (ACS) and Policies DE1 and TR1 of the Nottingham City Land and Planning Policies Development Plan Document

(LAPP), which seek, amongst other matters, a satisfactory level of amenity for occupiers of the development. It would also conflict with Paragraph 135 of the National Planning Policy Framework (Framework), which seeks, amongst other matters, a high standard of amenity for existing and future users.

Character and Appearance

6. The appeal site comprises of an end-terrace dwelling situated in a corner location at the junction of Sedgewood Grove and Failsworth Close. The surrounding properties are similar short terrace rows or semi-detached dwellings which have a generally consistent design. The setback of properties behind garden and parking areas as well as the presence of open spaces such as the large, grassed area that the appeal site faces, contribute to the unified, spacious residential character of the area.
7. The proposed dwelling would be a continuation of the existing terrace, and although it would be setback slightly from the existing dwelling at No. 2, this would be a small difference. The fenestration arrangements are varied along the front of the appeal terrace, although the size and position of the windows would broadly align with those on the existing terrace. These arrangements, as well as wall and roofing materials that are intended to match those on the existing terrace would ensure the appeal development assimilates with the surrounding built form.
8. A hardstanding area would be formed for the provision of parking off Failsworth Close for both the existing and proposed dwellings. This would result in a wide driveway and open frontage which would sit alongside the driveway to No. 20 Failsworth Close. A number of the surrounding properties however have hardstanding areas across their frontages and given the presence of these similar arrangements, I do not consider that this element of the development would be harmful.
9. Given the above, I conclude that the development would not have an unacceptable adverse effect on the character and appearance of the area. As such, it would comply with Policy 10 of the ACS and Policies DE1 and DE2 of the LAPP which seek, amongst other matters, development that respects and enhances the streetscape. It would also be compliant with Paragraph 135 of the Framework which seeks development that is sympathetic to local character.

Other Matters

10. The Council has raised concerns in relation to the enclosed passageway that would lead to the entrance to the existing dwelling. This would however be a private entrance as confirmed by the appellant and is reflected in the submitted plans which do not require the new dwelling to utilise this passageway for access. I do not therefore consider this arrangement to be unacceptable in relation to privacy or security. Nor would it be an unduly harmful approach to the property given the limited length of the passageway and the potential to provide lighting.
11. The parking arrangements for the existing dwelling would limit pedestrian access from the parking area to the rear garden. Alternative access is however available from the covered passageway to the rear garden area of the dwelling at No. 2.

12. Reference has been made to the planning history of the site and the amendments that have been made since a previous appeal decision. I have however determined this appeal on its own merits.
13. The appeal site is located with good access to shops, services and public transport connections. The proposed dwelling would also be compliant with internal space standards and provide sufficient off-street parking. These are however neutral matters and not ones which weigh in favour of the appeal.

Conclusion

14. I have found that the proposal would conflict with the development plan read as a whole. It has not been demonstrated that there are any material considerations of sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

F Rafiq

INSPECTOR