



Appeal Decision

Site visit made on 9 December 2024

by A Hartley LLB (Hons) Solicitor MBA

an Inspector appointed by the Secretary of State

Decision date: 14 January 2025

Appeal Ref: APP/J3015/D/24/3350704

90 Ullswater Crescent, Bramcote, Nottinghamshire NG9 3BE

- 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 Sarah Morgan against the decision of Broxtowe Borough Council.
 - The application Ref is 24/00209/FUL.
 - The development proposed is for a new detached garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) has been updated since the appeal representations were made. However, as the revisions do not affect the matters under consideration in this appeal, (other than paragraph references) it was not considered necessary to seek further comment.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

Reasons

4. The appeal property is a two-storey detached red brick dwelling with an attached single storey garage to the side, situated in a prominent corner plot at the junction of Ullswater Crescent and Hillside Road. It has a large open frontage comprising hard surfaced driveway and lawn.
5. The surrounding area is characterised by similar dwellings with attached garages at the side, creating a sense of rhythm of design within the immediate street scene. There are no garages built forward of the dwellings and open frontages predominate. At the corner plot, the appeal site frontage is larger than most of the other dwellings. These elements contribute positively to the character and appearance of the area.
6. The appeal proposal would introduce a single-storey detached garage measuring approximately 5.8 metres x 5.5 metres, with eaves height 2.3 metres and ridge height 3.8 metres. The materials and design would match and be in keeping with the host dwelling. The proposal would be located close to the host dwelling but

forward of its front elevation within its open frontage garden. When viewed directly from the highway, the front elevation of the host dwelling would not be obscured by the proposed garage, due to its proposed siting close to the side boundary with 118 Cow Lane. It would be sited on an existing hardstanding area. When viewed from Ullswater Crescent it would be seen against a backdrop of trees and the elevation of the dwelling at 118 Cow Lane. There would remain approximately 8 metres of lawn between the appeal proposal and the highway.

7. Despite the carefully considered position that seeks to mitigate the harmful effect of the proposed development, it would remain a substantial feature of built development forward of the host dwelling and I find that it would harm the identified character and appearance of the surrounding area due to its location because it would reduce the extent of open frontage at this prominent corner. When viewed on entering Ullswater Crescent from Hillside Road, the proposed garage would not be wholly screened by foliage and would appear as an incongruous and dominant feature in the street scene. It would detract from the well-proportioned design of the host dwelling within its open garden setting.
8. Overall, I find that the proposal would cause harm to the character and appearance of the host dwelling and the area as it fails to take account of the evident rhythm of design and open frontages of dwellings in the area.
9. Consequently, the appeal proposal conflicts with Policy 10 of the Broxtowe Borough Gedling Borough Nottingham City Aligned Core Strategy Part 1 Local Plan (2014), Policy 17 of the Broxtowe Part 2 Local Plan (2019) and the Framework, all of which seek high quality design appropriate to its context.

Other Matters

10. An interested party has written in support of the application and there are no other objections from other consultees however this does not justify the identified harm that would be caused by the appeal proposal.
11. The proposal would provide secure car parking and storage however these benefits could be achieved in other ways and do not justify the identified harm that would be caused by the appeal proposal.

Conclusion

12. For the above reasons, having regard to all representations made, I conclude that the proposal conflicts with the development plan as a whole and with the provisions of the Framework. There are no material considerations that would justify a decision other than one in accordance with the development plan. Therefore, the appeal should be dismissed.

A Hartley

INSPECTOR