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## Appeal Decision

Site visit made on 11 November 2025

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 21 November 2025**

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**Appeal Ref: APP/J3015/D/25/3373699**

**15 Kimberley Road, Nuthall, Nottinghamshire, NG16 1DA**

- 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 Mr Leigh Elston against the decision of Broxtowe Borough Council.
  - The application Ref is 25/00502/FUL.
  - The development proposed is two storey side and rear extensions.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. Whilst the Council draws attention to the appeal property's location opposite St Patrick's Church, a Grade II\* Listed Building, the application the subject of this appeal was not refused on the grounds that it would result in harm to the setting of a Listed Building. The application was refused on the grounds that it would harm the character and appearance of Nuthall Conservation Area.

### Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of Nuthall Conservation Area.

### Reasons

4. The appeal property is a detached two storey inter-war dwelling with a hipped roof and a single storey garage linked to the host dwelling. The dwelling is set back from Kimberley Road behind a tall boundary wall and a parking area. The boundary wall is itself set back from the road behind a pavement and a grass verge, within which there are trees.
5. Whilst St Patrick's Church and church-yard are located on the opposite side of Kimberley Road to the appeal property and there is a nearby local pub, the surrounding area is largely residential and comprises a range of dwelling types, including, close to the appeal property, detached and semi-detached dwellings of one and two stories in height.
6. The appeal property is located within Nuthall Conservation Area, characterised by a range of attractive period buildings, including 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> Century period dwellings, St Patrick's Church and its neighbouring Georgian rectory and the presence of well-established trees along street-frontages, set within an area containing a large lake and woodland.

7. The appeal dwelling forms one of several detached dwellings along Kimberley Road opposite St Patrick's Church. These dwellings can be seen above boundary walls and between trees and appear as modest dwellings set within relatively spacious plots, all within a green and spacious setting. The appeal dwelling's features, including its arts and crafts proportions, ground floor gables and linked garage, with its overhanging clay tile roof, combine to make a positive contribution to Nuthall Conservation Area.
8. The proposed development would result in a greatly extended building footprint and would lead the appeal dwelling to almost double in width at two storey height. The proposed side extensions would only be set down slightly from the height of the main ridge and part of the rear extension would not be set down at all. I find that these factors, combined with the width and depth of the proposal, would result in a development that would appear unduly large and bulky to the extent that it would dominate and overwhelm the host dwelling, rather than appear subservient to it.
9. Further, the host dwelling's attractive features would be visually consumed within a large, bulky and disproportionate addition.
10. The harm arising from all of the above would be exacerbated by the proposal resulting in the creation of a dwelling of such bulk and scale that it would appear incongruous in its surroundings, where no other dwelling of such appearance exists. Whereas neighbouring dwellings are sited comfortably within their spacious garden plots and surroundings, the proposal would result in the appeal dwelling appearing unduly dominant within its plot and its surroundings.
11. Taking all of the above into account, the proposal would detract from and would not conserve the character and appearance of Nuthall Conservation Area. Having regard to paragraph 215 of the National Planning Policy Framework (the Framework) and to Planning Practice Guidance, I consider that the harm to the character and appearance of Nuthall Conservation Area would be less than substantial.
12. This needs to be balanced against any public benefits the development may bring and in this regard, there is nothing before me that comprises or amounts to a public benefit that outweighs the harm identified.
13. Taking all of this into account, I find that the proposed development would harm the character and appearance of Nuthall Conservation Area, contrary to the National Planning Policy Framework; to Broxtowe Aligned Core Strategy (2014) Policies 10 and 11; to Broxtowe Part 2 Local Plan (2019) Policies 17 and 23; and to Nuthall Neighbourhood Plan (2018) Policy 5, which together amongst other things, seek to protect local character.

## **Conclusion**

14. For the reasons given above, the appeal does not succeed.

*N McGurk*

INSPECTOR