

**Report of the Chief Executive**

**APPEAL DECISION**

<b>APPLICATION NUMBER:</b>	<b>20/00043/FUL</b>
<b>LOCATION:</b>	<b>3 Swingate, Kimberley, Nottinghamshire, NG16 2PG</b>
<b>PROPOSAL:</b>	<b>Construct four dwellings and garages</b>

**ORIGINAL RECOMMENDATION BY OFFICER - APPROVE**

**LEVEL OF DECISION: COMMITTEE**

**REASONS FOR REFUSAL:**

1. The proposal would be an over-intensive form of development due to the number of dwellings proposed relative to the size of the site. The proposal would therefore be out of keeping with the character of the surrounding area, contrary to Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.
2. The proposed development, by virtue of the siting of the dwellings in close proximity to the boundaries of the application site would result in an unacceptable loss of amenity for the residents of the neighbouring properties on Angus Close, Swingate and Clive Crescent. Accordingly, the proposal is contrary to the aims Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.
3. The proposed development, by virtue of its location off a narrow private drive would provide a substandard means of access and would be detrimental to highway safety. Accordingly, the proposal is contrary to the aims Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.

**APPEAL DISMISSED AND PLANNING PERMISSION REFUSED**

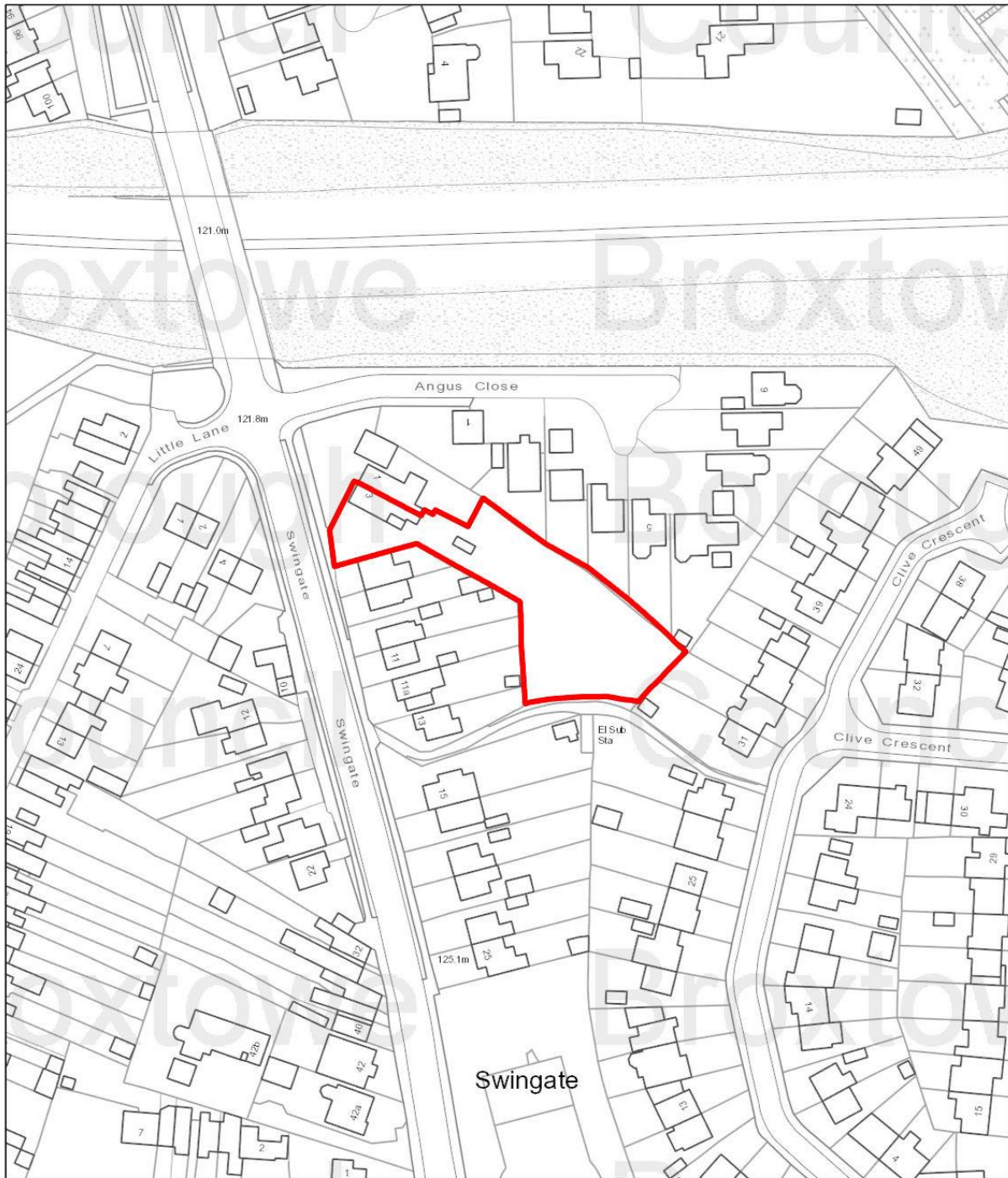
The Inspector considered the proposal to be over-intensive due to its effect on the character and appearance of the area. It is specifically noted that the dwellings and gardens at Plots 1 and 4 would be smaller than those of the surrounding properties, and the remaining garden at No. 3 would also be smaller. For these reasons it was considered the proposal would be out of keeping with the character of the area and consequently harmful to its character and appearance.

With respect to impact on neighbouring amenity, the Inspector considered that the proposed plot 1 would be sited close to the rear boundary of No. 2 Angus Close. Due to the proposed roof height of 4.6m, and relatively short distance to the rear elevation of the neighbouring property the Inspector determined that the proposal would harm the outlook from No. 2 and would be overbearing in relation to the rear private outdoor space of the neighbouring property. Consequently, the Inspector concluded that the proposal would have a detrimental effect on the living conditions of the occupiers of No. 2 Angus Close.

The Inspector addressed the highway safety reason for refusal, noting that each property would have parking and that the access specification is acceptable. The Inspector states that Swingate has a 30mph speed limit and is relatively straight in both directions. It is noted that even if a few visitors had to park on the private drive, this would not prevent cars entering the site and leaving in a forward gear. The Inspector is of the view that the proposal would not

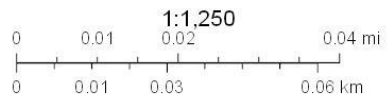
create and highway safety issues, nor would it hinder the operation of the surrounding highway network.

20/00043/FUL - 3 Swingate



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 Site



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