

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	19/00465/FUL
LOCATION:	Bramcote Ridge Open Space Sandgate Beeston (aka Land of Edenbridge Court NG8 2RS)
PROPOSAL:	Erection of 11 dwellings and provision of infrastructure works to facilitate the creation of a community park

APPEAL DISMISSED

The application sought to construct 11 dwellings (two in Broxtowe, off Sandy Lane, and nine to the south of Edenbridge Court, within Nottingham City) and to provide infrastructure works to facilitate the creation of a community park. The application was refused planning permission as recommended by the case officer following its presentation at planning committee and the decision notice issued on 24 July 2020, for the reason below:

“The proposed housing development, by virtue of the built development and the loss of habitats, would result in an unacceptable harm to the Green Infrastructure Asset and would result in a net loss to biodiversity. No benefits which clearly outweigh this harm have been demonstrated. Accordingly, the development is contrary to the aims of Policies 28 and 31 of the Broxtowe Part 2 Local Plan (2019), Policy 16 of the Broxtowe Aligned Core Strategy (2014) and Section 15 of the National Planning Policy Framework (NPPF) 2019.”

The site also encompassed land within the boundary of Nottingham City Council, who also resolved, at their planning committee, to refuse planning permission on three grounds which were: impact on Open Space Network; impact on biodiversity; and impact on townscape / neighbour amenity.

The Planning Inspectorate considered both appeals in one at a joint Planning Inquiry which was held in early June.

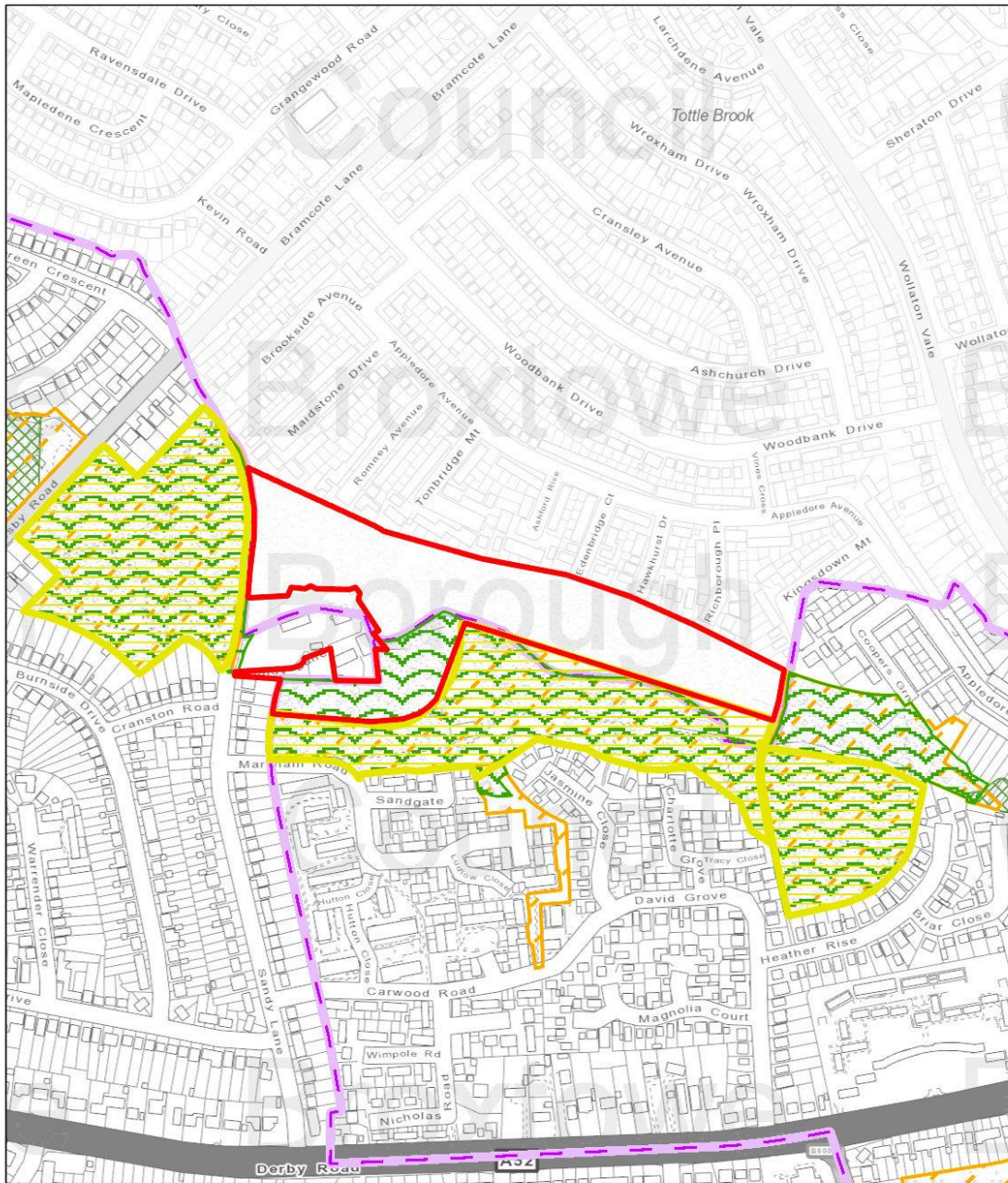
The Inspector issued a decision letter which applied to both planning applications (BBC and NCC). The Inspector considered the main issues to be i) character and appearance of the area; ii) living conditions of the occupiers of existing nearby dwellings in respect of outlook, light and community cohesion and whether the living conditions of future residents would be acceptable in respect of safety, pedestrian access and waste collection; iii) nature conservation (local wildlife sites, habitats and biodiversity) and iv) Green Infrastructure Asset and Open Space Network.

The Inspector summarised that the houses on the ridge would be intrusive in the street scene and both areas of housing would encroach into the wooded area which would diminish the visual quality of the local natural landscape at the edge of the built up area, severely harming the character and appearance of the area; the dwellings to the north of the ridge (within NCC boundary) would appear as dominant features and would result in a poor outlook from both gardens and habitable room windows of many of the existing dwellings backing on to them; the proposed

development of housing to the north would fail to provide an acceptable level of living conditions for future residents (due to presence of trees surrounding the plots (impact on light and outlook), lack of natural surveillance of spaces between and inconvenient provision of waste collection); the proposal would pose a threat to nature conservation, the local wildlife site ecology and biodiversity; and that the benefits of the scheme fail to outweigh the quantitative loss of the open space.

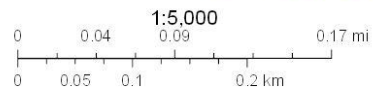
The Inspector concluded that whilst there would be some benefits of the scheme, including the removal of Japanese Knotweed on the site, she did not consider that the proposed housing could justify the enabling of any or all of these benefits due to the overall harm that would arise. The balance of harm against the benefits is stark and the harm found to living conditions alone outweighs the benefits even without adding the other harms identified in the report. All other material considerations have been considered, including the letters of support from interested parties, but none outweigh the conclusion the inspector has reached. As such, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Bramcote Ridge, Sandgate, Bramcote, Notts



8/4/2021, 7:56:04 AM

- | | | | |
|---|-----------------------|---|---------------|
|  | Group TPO |  | Open Spaces |
|  | Local Nature Reserves |  | Site |
|  | Local Wildlife Site |  | Borough Wards |



© Crown copyright and database rights 2021. Ordnance Survey 100019453. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form