

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	22/00563/FUL
LOCATION:	121 and Land to Rear of 123 Brookhill Street, Stapleford, Nottingham, NG9 7GU
PROPOSAL:	Proposal for 5no. new dwellings and demolition of existing bungalow

APPEAL DISMISSED

RECOMMENDATION BY OFFICER - REFUSE

REASONS FOR REFUSAL –

1. The proposal represents an unsatisfactory form of development which is cramped and out of keeping with the style and predominant pattern of development within the immediate vicinity of the application site. Plots 4 and 5, by virtue of their design, scale and massing will be out of keeping with prevailing character of properties on Brookhill Street. As a result, the development will be harmful to the appearance and character of the area and is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).
2. The submitted scheme by virtue of its layout and design results in a cramped form of development that results in the loss of privacy for future and neighbouring occupiers of properties. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).
3. The proposed access, located in close proximity to neighbouring properties 123 and 125 Brookhill Street, would result in an adverse impact upon the living conditions of neighbouring occupiers of properties by virtue of noise relating to comings and goings of future occupiers. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).
4. The development would lead to an increase in vehicular traffic using the shared access driveway. The access is of insufficient width to allow the two-way vehicular movements along the length of the driveway, resulting in an increased likelihood of impediment to the free flow of traffic, whilst vehicles wait to turn into the site, whilst others egress. The access also fails to provide adequate pedestrian and vehicular visibility. It has further not been demonstrated that the access, parking and vehicle maneuvering space can be satisfactorily achieved within the red line boundary. Therefore, the proposal is contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

LEVEL OF DECISION: DELEGATED

The inspector considered the main issues to consider were:

- The effect of the proposal on the character or appearance of the area;
- Whether appropriate living conditions would be provided for future occupiers of the proposed dwellings and maintained for neighbouring occupants, with particular regard to privacy and noise; and
- The effect of the proposal on highway and pedestrian safety with particular regard to the adequacy of visibility, parking and manoeuvring opportunities for vehicles.

REASONS

The Planning Inspector noted that the development would not sit well with the established pattern of development of the area and would appear as an intrusive and discordant addition to the street scene to its detriment.

The Inspector noted that the inclusion of the terraced areas would result in a significant loss of privacy, thereby unacceptably harming the living conditions of the occupiers of the proposed Units 1 to 3, as well as the occupiers of No 123. Further to this, the vehicular movements associated with the proposed rear dwellings will be directly next to the rear gardens, and closer to rear windows, of Nos 123 and 125 than any other external source. The Inspector considered that the living conditions of the occupants of such properties, including the enjoyment of their gardens, would be adversely and unacceptably affected.

The Inspector concluded that the development would have an unacceptable effect on highway and pedestrian safety with particular regard to the adequacy of visibility, parking and manoeuvring opportunities for vehicles.

CONCLUSION

The Inspector considered that in terms of the main issues: the proposal would be harmful to the character and appearance of the locality, detrimental to the living conditions of neighbouring properties and adversely affect highway safety.