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## Appeal Decision

Site visit made on 28 November 2016

**by Zoe Raygen Dip URP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 13 December 2016**

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**Appeal Ref: APP/A3010/W/16/3155764**

**The Hawthorns and Land, Town Street, Cottam, Nottinghamshire DN22 0EU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr Adam Potts against the decision of Bassetlaw District Council.
  - The application Ref 16/00295/RSB, dated 2 March 2016, was refused by notice dated 9 May 2016
  - The development proposed is a four bedroom house and garage.
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### Decision

1. The appeal is dismissed.

### Procedural matter

2. The application is in outline; with all matters reserved for future consideration except for access. I will therefore determine the appeal on that basis.

### Main Issue

3. The main issue is whether the proposal would provide a suitable site for housing with particular regard to its location

### Reasons

4. The appeal site is located within the settlement of Cottam which is included within the definition of 'All other Settlements' within Policy CS1 of the Bassetlaw Core Strategy and Development Management Policies DPD 2011(the DPD). The Policy defines these as being rural settlements that have limited or no services and facilities or access to public transport and which are unsuitable for growth. As such it is classed as being within the open countryside.
  5. Policy DM3 of the DPD only allows new residential properties outside development boundaries subject to certain criteria regarding replacement buildings, development of previously developed land and new dwellings in association with agricultural and equine facilities. Policy CS9 of the DPD states that housing will not be permitted in the category of all other settlements unless they are in accordance with Policy DM3. As the proposal would not meet any of the relevant criteria it would be contrary to Policies CS1, DM3 and CS9 of the DPD.
  6. However, the appellant states that the Council cannot demonstrate a five year housing land supply as evidenced in its Annual Monitoring Report of 2015. This
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is not disputed by the Council. Paragraph 49 of the National Planning Policy Framework (the Framework) states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. I therefore give saved Policies CS1, DM3 and CS9 limited weight as I consider them to be relevant Policies for the supply of housing.

7. Paragraph 55 of the Framework specifically addresses the provision of housing in rural areas. It states that housing should be located where it will enhance and maintain the vitality of rural communities by avoiding isolated homes in the countryside unless there are special circumstances. The Framework does not define the meaning of 'isolated'. In my experience there are two main aspects to be assessed when considering 'isolation', these being whether the appeal site is physically isolated relative to settlements and other built development and whether it is functionally isolated relative to services and facilities.
8. Cottam is a small settlement with linear development along the main street. The appeal site is located to the south end of Town Street and the house would be located alongside the road in between existing houses. As a result it would be viewed within the context of built development and therefore would not be physically isolated relative to Cottam.
9. I saw though that Cottam has very few local facilities including a pub and Cottam Power Station a local employer in the area. There was no local convenience shop, health services or school. As a result future occupiers would have to travel further distances to surrounding villages and towns to access day to day services. I have not been advised of the nearest settlement with a good range of services and facilities but I saw on my site visit that Cottam is located in a rural area some distance from nearby villages.
10. Although there is a bus stop near to the appeal site I have been provided with no details of the bus service and therefore cannot be sure that it is regular or would conveniently serve the needs of people accessing services or commuting to work. Furthermore, there is no footway outside the appeal site or beyond the limits of the built development of Cottam which is served by narrow country roads with limited lighting. It is unlikely therefore that future occupiers would walk or cycle to nearby settlements particularly in the dark winter months, or if they have mobility issues or accompanied by children.
11. As a result future occupiers would be likely to have a high dependence on the use of motor vehicles to access the local services which would be contrary to one of the core planning principles of paragraph 17 of the Framework to make the fullest use of public transport, walking and cycling. Moreover, the proposal would conflict with one of the aims of paragraph 7 of the Framework to move towards a low carbon economy.
12. Whilst I recognise that there is generally a greater reliance on the private car in more remote rural areas, it remains the case that there would be a lack of sustainable transport choices available to enable future residents to conveniently access services and facilities. There would be a lack of relationship between the site and the nearest settlements able to provide basic services and in this respect the dwelling would be functionally isolated.

13. Leading on from this I do not consider there to be special circumstances to justify the erection of isolated dwellings, including those cited in the Framework namely that it would be essential for a rural worker; would secure the future of a heritage asset; would re-use a redundant or disused building or would be of exceptional quality or design.
14. Paragraph 55 of the Framework refers to development in small villages potentially supporting services either in the immediate environment, or in a village nearby. However, I have seen no evidence to suggest that the location of the appeal site is well placed by way of public transport connectivity, to available facilities in surrounding settlements and one dwelling would in any event, make a limited contribution in this regard.
15. For the reasons above therefore I conclude that the proposal would not provide a suitable site for housing with particular regard to its location. It would therefore be contrary to paragraphs 7, 17 and 55, of the Framework and saved Policies CS1, DM3 and CS9 of the DPD.

### **Other matters**

16. I acknowledge that the siting of the proposed house is unlikely to cause harm to the linear character and appearance of the area. However, this is not disputed by the Council and the building's effect on the character and appearance of the area is not a reason for refusal.
17. The appellant refers to a new house to the right of the appeal site. However I am not aware of the particular details regarding this house and what made it acceptable. I cannot be sure therefore that it represents a direct parallel to the appeal proposal. In any case I have determined the appeal based on its own merits.

### **Balancing and conclusion**

18. The proposed additional dwelling would contribute to the Council's five year housing land supply as required by the Framework which would be a benefit of the scheme. However, a net increase of one dwelling would be a small contribution so I afford this benefit only limited weight.
19. In addition, the construction of the dwelling would derive some economic benefits but this would be for a limited time. Furthermore, given the small scale of the development, the contribution to the local economy, including the public house, from the spending power of future occupants and the increased available workforce for the power station, is unlikely to be significant. I therefore give these benefits limited weight.
20. The proposed development would be in an isolated location resulting in the inherently harmful effects I have already identified contrary to both national and local planning policy. I therefore give this impact considerable weight.
21. I have considered the benefits which would be derived from the appeal scheme but these carry limited weight. I therefore conclude, in accordance with paragraph 14 of the Framework, that the harmful impact of the proposal would significantly and demonstrably outweigh the limited benefits. The proposal would conflict with the Framework and Development Plan when taken as a whole and consequently the proposal is not sustainable development for which the Framework carries a presumption in favour. For this reason, and having

regard to all other matters raised, I conclude that the appeal should be dismissed.

*Zoe Raygen*

INSPECTOR