
Appeal Decision

Site visit made on 7 February 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 14th February 2017

Appeal Ref: APP/A3010/W/16/3163346

Land including 24 Blyth Road, Ranby, Nottinghamshire, DN22 8JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr David Keeling against Bassetlaw District Council.
 - The application Ref 16/00356/FUL, is dated 31 January 2016.
 - The development proposed is a change of use of a paddock for the siting of a residential log cabin, shipping container and workshop buildings.
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Decision

1. The appeal is dismissed and planning permission is refused.

Main Issue

2. The main issue is whether the proposal represents sustainable development in respect of its location.

Reasons

3. The appeal site is outside of any defined settlement boundary, the closest settlement being Ranby. Policy CS1 of the Bassetlaw District Local Development Framework Core Strategy and Development Management Policies Development Plan Document, 2011 (CS) establishes a settlement hierarchy which restricts development to the area inside of defined development boundaries. Ranby is not listed in the hierarchy and is therefore classed as "All Other Settlements" to which CS Policy CS9 applies.
 4. CS Policy CS9 says that housing in such an area will not be supported. The explanation to the policy indicates that "all other settlements" are considered to have limited or no service/facility provision. It explains that it is not appropriate to encourage more housing in these areas as this is likely to increase the need for residents to travel to access even basic services.
 5. Paragraph 17 of the National Planning Policy Framework (NPPF) says that Councils should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. No evidence has been put to me to demonstrate that the site has good accessibility to services by these modes of transport.
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6. Occupants of the proposed dwelling would therefore not have an acceptable choice of modes of transport to reach services and employment. I find, therefore, that the proposal would not meet objectives to promote sustainable development and would be in conflict with CS Policies CS1 and CS3 and with the NPPF.
7. Paragraph 55 of the NPPF indicates that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances which include the essential need for a rural worker to live permanently at or near their place of work in the countryside. I understand that the container on the site is used to store stock for the appellant's work as a market trader. There is also a "workshop" in which the appellant carries out maintenance. The appellant has been staying overnight in the residential log-cabin because of the early starts required as a market trader along with the safe-guarding of chickens, rabbits and guinea pigs.
8. I recognise that there are benefits of convenience and security to having a dwelling with associated buildings on site. However, I have no substantive evidence that a 24 hour onsite presence is essential for the appellant to carry out his job.
9. I therefore conclude that the development does not represent sustainable development in terms of its location and it would conflict with development plan policy and the Framework.

Other Matters

10. I understand that the appellant has tidied up the land and I could see at my visit that the site was immaculately tidy. I also understand that the appellant would like to live permanently on site and that the vacation of his home in Worksop would free up a dwelling for another family but these matters do not outweigh the harm I have identified.
11. I acknowledge the comments that the appellant has recently been in hospital with mental health problems and that the log-cabin would provide a peaceful environment for him. However, I have no medical evidence of this before me and as planning permission runs with the land rather than with the applicant or appellant, the inappropriate residential use would be permanent. I therefore give the personal circumstances of the appellant limited weight.
12. I note the appellant's comments in respect of the difficulties he had with getting the Council to register the application. However, my decision is based on the planning merits of the case rather than the alleged behaviour of the Council. I have considered all other matters raised but none outweigh the conclusions I have reached.

Conclusion

13. For the above reasons, the appeal is dismissed.

Siobhan Watson
INSPECTOR