

Appeal Decision

Site visit made on 16 May 2017

by Beverley Doward BSc BTP MRTPI

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

Decision date: 25 May 2017

Appeal Ref: APP/A3010/W/17/3169888

Garden to Manor Farmhouse, Breck Lane, Mattersey Thorpe, Doncaster DN10 5EF

- 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 Martin Doughty against the decision of Bassetlaw District Council.
 - The application Ref 16/01532/OUT, dated 3 November 2016, was refused by notice dated 20 December 2016.
 - The development proposed is the erection of single detached dwelling, detached garage and access.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Martin Doughty against Bassetlaw District Council. This application is the subject of a separate decision.

Procedural Matters

3. The planning application was submitted in outline form with all matters other than access and scale reserved for future consideration. Accordingly, I have considered the appeal on this basis.

Main Issue

4. The main issue in this case is whether the proposal for residential development in this location would be appropriate having regard to its accessibility to services and facilities.

Reasons

5. Policy CS1 of the Bassetlaw Core Strategy and Development Management Policies DPD 2011 (the DPD) sets out the Council's approach to the location of new development. It sets out a settlement hierarchy within which Mattersey Thorpe is identified as being within the category of 'All Other Settlements'. 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.
 6. Policy CS9 of the DPD indicates that housing will not be permitted in the category of 'All Other Settlements' other than for conversions or replacement dwellings. The supporting text to the policy indicates that the settlements
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categorised as 'All Other Settlements' are considered to have limited or no service/facility provision and are reliant upon other settlements for such needs. It goes on to explain that it is not appropriate to encourage more housing in these areas (other than conversions or replacement dwellings) as this is likely to increase the need for residents to travel to access even basic services.

7. The appellant contends that policies CS1 and CS9 of the DPD are not consistent with the provisions of the National Planning Policy Framework (the Framework) particularly in relation to paragraph 55 of the Framework. However, it seems to me that the policies are broadly consistent with the overarching sustainability aims of the Framework by considering where new development should, and should not, be located. The Framework indicates, at paragraphs 30 and 37, that local planning authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport and that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities. In addition paragraph 55 of the Framework indicates that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities acknowledging that where there are groups of smaller settlements, development in one village may support services in a village nearby. It also indicates that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.
8. The appeal site forms part of the large garden to Manor Farmhouse in Mattersey Thorpe which is a small settlement with an area of relatively modern residential development to the north of Broomfield Lane and the remainder of the residential development sited around the junctions of Broomfield Lane/Beck Lane/Thorpe Road. To the north-east of the site is the farmhouse beyond which are a number of barns which have the benefit of planning permission for conversion into 4 dwellings. To the east of the appeal site is an area of land which has outline planning permission for residential development. The appeal documentation indicates that this land was previously occupied by various redundant agricultural and industrial buildings although at the time of my site visit these had been cleared and the land was vacant.
9. The appellant contends that a site such as the appeal site which is part of, or attached to, a village cannot be considered to be isolated. However, I am mindful that the Framework does not define the meaning of 'isolated' and I agree with the view expressed by the Inspector in a previous appeal decision¹ that has been referred to me, that there are two main aspects to be assessed when considering 'isolation'. These are whether the site is physically isolated relative to settlements and other built development and whether it is functionally isolated relative to services and facilities.
10. In this case the proposed dwelling would not be physically isolated relative to the settlement and other built development in Mattersey Thorpe. However, I saw from my site visit that there are few, if any, services or facilities within Mattersey Thorpe itself and whilst there is a primary school, post office and village shop in the nearby settlement of Mattersey the limited range of these services/facilities mean that the future residents of the proposed dwelling

¹ APP/A3010/W/16/3155764

would be likely to need to travel further to meet their other day to day needs. There is a bus stop near to the appeal site on Thorpe Road. However, I have not been provided with any details of the services which run from it. Accordingly, I cannot be satisfied that they would provide a suitable alternative to the private car to serve the needs of people accessing basic services or commuting to work. I acknowledge that, as suggested by interested parties, the proposal would serve to increase the local community and thereby may help support the primary school, post office and village shop in Mattersey. However, the scale of the proposed development combined with the lack of services/facilities in Mattersey Thorpe and the limited range in Mattersey mean that the impact of the proposal on the vibrancy and vitality of the rural communities of both Mattersey Thorpe and Mattersey would be minimal.

11. Having regard to all of the above therefore, I consider that the proposal for residential development in this location would not be appropriate having regard to its accessibility to services and facilities. As such it would conflict with policies CS1 and CS9 of the DPD which are broadly consistent with the Framework.

Other matters

12. The Framework sets out in paragraph 47 that to boost significantly the supply of housing, local planning authorities should be able to demonstrate a 5 year supply of deliverable housing sites. The Council acknowledges that it cannot demonstrate this.
13. I acknowledge that planning permission has recently been granted for residential development to the east of the appeal site. However, the evidence indicates that this development would be likely to create around 10 additional dwellings which is considerably more than the appeal proposal. Furthermore, it seems to me that there would likely to have been some environmental benefit from the removal of the previous redundant buildings on the site which the appellant indicates had been used for industrial/scrap yard uses. Accordingly, I am not persuaded that the cases are comparable particularly in the consideration of the overall planning balance.
14. The appellant refers to the Initial Draft Bassetlaw Plan which includes a concept of 'village clusters' in its spatial strategy. However, this document is the very early stage of preparing a new Local plan for Bassetlaw. Therefore, it is accorded little weight in my consideration of this appeal. In addition the appellant and interested parties refer to an emerging Neighbourhood Plan for the area. However, a draft plan has not yet been produced. Accordingly, little weight can be attributed to this matter also.
15. The Council has referred to various recent appeal decisions elsewhere in the District which it considers lend support to its case. These relate to small scale housing development proposals in locations which are considered to be similar to the appeal site and which have been dismissed on appeal. Whilst there are clearly some similarities between these and the appeal proposal I cannot be satisfied that they are similar in all respects. Accordingly, I confirm that I have considered the appeal proposal on its own merits and these other decisions have not been determinative in my consideration of this appeal.

Planning Balance and Conclusions

16. Paragraph 49 of the Framework requires housing applications to be considered in the context of the presumption in favour of sustainable development. It also indicates 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 housing sites as is the case here.
17. Paragraph 14 of the Framework sets out what the presumption in favour of sustainable development means. It indicates that for decision-taking this means where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicates that development should be restricted.
18. There would be some, albeit limited, economic and social benefits arising from the development of an additional dwelling within an area where there is an acknowledged lack of a five-year supply of housing land. There would also be social benefits by an expansion of the local community and the support that this would provide for the services and facilities in nearby Mattersey as well as some short term economic benefit through the provision of construction jobs and by increased local spending. However, given the small scale of the development and the limited availability of local services the scale of these benefits would be very limited. Accordingly, I afford these economic and social benefits cumulatively only moderate weight in favour of the proposal.
19. I have found that the proposal for residential development in this location would not be appropriate having regard to its accessibility to services and facilities and so would create a pattern of development that the Framework seeks to restrict. I attribute considerable weight to this harm.
20. Against the harm identified above has to be balanced the benefits of the proposal that I have identified. Taking everything into account, I consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the Framework as a whole. As a result, the application of paragraph 14 of the Framework does not indicate that permission should be granted and the proposal would not represent sustainable development.
21. Overall, therefore the proposal would not represent sustainable development and is contrary to the development plan as a whole. For these reasons, therefore I conclude that the appeal should be dismissed.

Beverley Doward

INSPECTOR