
Appeal Decision

Site visit made on 9 May 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 06 June 2017

Appeal Ref: APP/A3010/W/17/3169426

**Land east of Lambcote Lodge, Station Road, South Leverton,
Retford DN22 0FB**

- 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 James Neeson against the decision of Bassetlaw District Council.
 - The application Ref 16/01403/RSB, dated 11 October 2016, was refused by notice dated 6 December 2016.
 - The development proposed is the erection of single detached dwelling.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr James Neeson against Bassetlaw District Council. This application is the subject of a separate Decision.

Procedural Matter

3. The application was made in outline with all matters reserved for future determination. A block plan showing the position of the proposed access on to Station Road and an indicative position of the proposed dwelling was submitted with the application. I have had regard to this plan in the determination of this appeal.

Main Issues

4. The main issues are:
 - Whether the proposal represents a sustainable form of development bearing in mind the appeal site's location in a rural settlement.
 - The effect of the proposed development on the character and appearance of the surrounding area.

Reasons

Sustainable development

5. The appeal site comprises a grassed field bounded by hedgerow and located on the north eastern edge of the village of South Leverton with open countryside to the north and east. A further field to the south separates the site from the
-

main part of the village. It lies to the east of a small complex of converted barn buildings and three detached dwellings. Although it is located close to existing development the site has a rural appearance and forms part of a transitional area between the village and the wider countryside.

6. The Council's approach to the location of new development is set out in Policy CS1 of the Bassetlaw Core Strategy and Development Management Development Plan Document (2011) (DPD). This policy sets out a settlement hierarchy across the District and identifies South Leverton as being 'all other settlements' which are defined as rural settlements that have limited or no services and facilities or access to public transport and which are unsuitable for growth. Policy CS9 of the DPD states that proposals for the development of housing, other than for conversions or replacement dwellings, within areas lying within the category of 'all other settlements' will not be supported. As the proposed development is neither a conversion nor a replacement dwelling the proposal is therefore contrary to Policy CS9 of the DPD.
7. I note the appellant's contention that Policy CS9 is at odds with the sustainability aims of the National Planning Policy Framework (the Framework). However, the objective of this policy is to restrict development in areas where there are limited services to meet the living needs of the occupants of such communities. This policy and the settlement hierarchy approach, as set out in Policy CS1, appears to me to be consistent with the overarching sustainability aims of the Framework by considering where new development should, and should not, be located.
8. Notwithstanding the fact that the DPD predates the Framework, its approach accords with the core principles of sustainable development as set out in paragraph 7 which advises that there are three dimensions to sustainable development: economic, social and environmental. Whilst it may be possible to deliver positive gains to one of these, this should not be to the detriment of another. In order to achieve sustainable development, the Framework advises that the planning system should ensure that economic, social and environmental gains are sought jointly and simultaneously. Policies CS1 and CS9 of the DPD reflect the advice provided in paragraph 7 of the Framework by seeking to direct housing growth in sustainable settlements and prevent uncontrolled growth into the surrounding countryside.
9. The proposed development would generate short term employment opportunities during the construction phase and the occupation of the dwelling would provide a limited contribution to help support local services. These economic and social benefits would gain some support from the Framework. However, these benefits must be balanced against any adverse impacts.
10. Although the site is close to a small cluster of buildings and as such cannot be considered as isolated, it nevertheless does not form part of the more recognisably developed part of South Leverton. In being located close to a village which is defined in the DPD as having limited or no service provision, Policy CS9 places strict controls on new development to prevent the expansion of the built form of the settlement into the countryside and pressure for services which cannot be supported.
11. Although South Leverton has some limited facilities, the need to travel outside the village to access some key services and employment cannot be overlooked. The environmental dimension of sustainability includes the need to move to a

low carbon economy. Notwithstanding the proximity of site to the village, I consider that future residents would be reliant on car use and would therefore not meet that requirement.

12. Whilst the occupants of the proposed dwelling would make use of the services and facilities in nearby settlements which would support their vitality, they would be doing so using unsustainable transport means. Moreover, as the proposal is for a single dwelling, I do not consider that it would contribute to the enhancement or maintenance of the vitality of nearby settlements to any significant degree.
13. Taking these factors into account, I consider that the proposed development would be contrary to the locational strategy of the development plan and would not accord with the environmental dimension of sustainability. Consequently, the continued expansion of South Leverton into the countryside would undermine the spatial integrity of the development plan and the ability of the Council to deliver a truly plan-led approach. These factors outweigh the limited social and economic benefits.
14. Given the above and having had regard to the policies of the Framework as a whole, I conclude that the proposed development would not amount to a sustainable form of development and would thus be contrary to Policy CS9 of the DPD and paragraph 14 of the Framework.

Character and appearance

15. The proposed dwelling, in being located to the east of existing properties, would not form part of the tightly grouped cluster of buildings that currently forms the entrance to the village along Station Road. As such, it would represent the extension of residential development into the open countryside and result in the urbanisation of a site that forms an important part of a transitional area between the village and the wider countryside.
16. The Council indicate that the site is identified in the Bassetlaw Landscape Character Assessment as being located within the Mid-Nottinghamshire Farmlands Policy Zone 05: Leverton where landscape actions are to conserve the open rural character of the landscape. Whilst this assessment affords no statutory protection, it nevertheless does recognise the contribution that the open rural nature of the area makes to the landscape character.
17. The proposal development would result in residential development protruding into the countryside, outside of the recognisable and established settlement pattern of the village. Consequently, the current rural appearance of the site would be lost and a more suburban character would prevail. As such, it would result in the urbanisation of this part of the countryside that fails to conserve the open rural character of the landscape.
18. For the above reasons, the proposed development would unacceptably harm the character and appearance of the surrounding area. As such, the proposed development would not accord with Policies DM4 and DM9 of the DPD. These policies, amongst other things, require that new development should respect its wider surroundings and landscape character and conserve landscape forms.

Other matters

19. I accept that the proposed dwelling would make a useful yet very small contribution to housing supply in the District bearing in mind the evidence that the Council cannot currently demonstrate a Framework compliant supply of housing land. However, this, along with the other matters identified in the evidence as potentially weighing in favour of the proposed development, does not outweigh the significant harm identified above in that the proposal would constitute unsustainable development that would harm the character and appearance of the surrounding area. Taking into account the advice provided in paragraph 49 of the Framework, and for the reasons explained above, the proposal would not be sustainable development.
20. The appellant has drawn my attention to a recent outline planning permission granted on the western edge of the village for two dwellings (Ref 16/01573/OUT). The Council indicate that this site was occupied by an agricultural building and hardstanding. As such, the Council suggest that there were other policies in the DPD that were relevant to the consideration of the planning merits of that development. I do not have full details of that application or the circumstances and planning considerations that led to the decision to grant planning permission. Consequently, I cannot be sure that the circumstances in that case are directly comparable to those in this appeal. I have, in any case, reached my own conclusions on the individual merits of the appeal proposal on the basis of the evidence before me. Whilst the location of the appeal site may be no more unsustainable than the site recently granted planning permission, unsustainable development should not be perpetuated in areas with few facilities.

Conclusion

21. Notwithstanding the benefits of the scheme including the contribution to the supply of housing, I consider that the proposed development would not be consistent with the principles of sustainable development and would cause harm to the character and appearance of the countryside. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be dismissed.

Stephen Normington

INSPECTOR