



Appeal Decision

Site visit made on 1 April 2019

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2019

Appeal Ref: APP/B3030/W/19/3219800

**Land immediately adjacent Meadow View, and directly opposite
Clarehaven, Fiskerton Road, Rolleston, NG23 5SH**

- 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 and Mrs Reilly against the decision of Newark and Sherwood District Council.
 - The application Ref: 18/01592/OUT, dated 21 August 2018, was refused by notice dated 7 November 2018.
 - The development proposed is the erection of a dormer bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was in outline with access and layout to be determined at this stage. The National Planning Policy Framework (the Framework) was revised in February 2019. I have consulted the main parties and conclude that the revision has raised no additional issues of relevance to this appeal. The parties were also consulted on the housing land supply, the emerging Revised Core Strategy and policy SP3. Their responses have been taken into account in my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, having regard to relevant policies for development in rural areas.

Reasons

4. The appeal site is a grassed paddock next to the two storey detached dwelling of Meadow View. It is located at the south side of Rolleston village, with mainly open agricultural land to the north and east. There is a drainage dyke along the south eastern boundary of the paddock, with a small pumping station and Springfield Lodge situated beyond. Houses in the vicinity vary in size and design and are predominantly detached, or semi-detached. The dwellings of Clarehaven and Norwood Farm are situated immediately to the south-west, across Fiskerton Road.
5. The Newark and Sherwood Core Strategy has been reviewed and the amended version was adopted in March 2019. The Council has advised that the

Amended Core Strategy was prepared in accordance with the previous Framework and that it is mostly in line with the 2019 Framework, save for the issues relating to the affordable housing triggers, which are not relevant to this appeal.

6. Rolleston is defined as an "other village" in Spatial Policy 1 of the Amended Core Strategy. Spatial Policy 3 indicates that development not in villages or settlements, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting. Policies to deal with such applications are set out in the Allocations & Development Management Development Plan Document (DPD).
7. Rolleston does not have a defined settlement boundary. The appeal site is not isolated but is on the edge of the settlement. The site is a paddock, albeit maintained as a mown area, separated from Springfield Lodge by a narrow part of a field. Moreover, the supporting text to Amended Core Strategy Spatial Policy 3 advises that in determining the location criteria it supports the development of sites within the existing built extent of villages. The text indicates that this "would not normally include undeveloped land, fields, paddocks or open space which form the edge of built form". Therefore, I conclude that the site constitutes an undeveloped parcel of land which forms the edge of built form at this side of Fiskerton Road. The fact that the small pumping station, Springfield Lodge and Norwood Farm are located further along Fiskerton Road does not, in my opinion, justify the appellants' claim that the appeal site is within the settlement. I find that the proposal is in the open countryside and should be assessed against policy DM8 of the Allocations and Development Management DPD.
8. Policy DM8 of the Allocations and Development Management DPD indicates that permission will only be granted for new dwellings in the open countryside where they are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area. The proposed site layout shows that the proposed dormer bungalow would have to be located relatively near to Meadow View and slightly closer to Fiskerton Road, in order to avoid land that is within flood zone 2.
9. Details of the proposed design have not been submitted, but in view of the restricted developable land that is available, the smaller scale of the proposed dwelling and proximity to the two-storey dwelling of Meadow View, it is difficult to envisage how all the above criteria in Policy 8 of the Allocations & Development Management DPD could be met by a dormer bungalow, even if a high quality in design is achieved. The building line along either side of Fiskerton Road is not totally consistent, but the predominant layout is for dwellings to be set back from the road, with occasional exceptions. However, because the proposed dormer bungalow would be at the entrance to the village and approached from generally open land it would increase the visual prominence of the proposed development when approached from the south-east.
10. The open rural land at the entrance to Rolleston at this part of Fiskerton is a defining characteristic. Development would still leave a gap between the proposed dormer bungalow and Springfield Lodge. I appreciate that the established hedgerow would be largely retained and enhanced, providing

biodiversity gains. However, the dormer bungalow would have a suburbanising effect by introducing a prominent cramped form of development with frontage car parking. Its form and height would be out of keeping with the two storey dwellings of Meadow View and Norwood Farm that mark the entrance to the village.

11. I conclude that the proposal would have a significant harmful effect on the character and appearance of the rural area. It would conflict with Amended Core Strategy Spatial Policy 3 and Policy DM8 of the Allocations and Development Management DPD. It would also conflict with Policy DM5 of the Allocations and Development Management DPD and the design objectives of the Framework which, amongst other things, seek to ensure that development respects local character and distinctiveness.

Other Matters

12. The Council states that it can robustly demonstrate that it has a 5 year housing land supply. The appellants have drawn my attention to advice in the Framework that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. Reference is also made to appeal ref: APP/A3010/W/18/3217007 for a development comprised of 10 dwellings in Bassetlaw District. The Inspector considered in that appeal that a Council's 5 year housing land supply does not act as a ceiling or as a disincentive to the grant of further planning permissions as the Framework makes it clear that the Government's objective is to significantly boost the supply of housing. However, despite this the Inspector concluded that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
13. The appellants have referred to application ref: 16/01544 where the Council considered that Rolleston residents had access to the more sustainable settlements in the vicinity without reliance upon a car. I note that although the site in question was at the edge of the settlement it was within the curtilage of the existing dwelling, unlike this case. Reference is also made to a site at 'Lynwood' where an Inspector had determined that the appeal would satisfy the location criteria of Core Strategy Policy SP3, but this can be distinguished because of its location within the main built up area of the village.
14. The appeal site is relatively close to a bus stop on Fiskerton Road. Buses provide hourly access to the settlements of Southwell & Newark. The village also benefits from a train station which has connections to Nottingham and Newark. However, despite this, services in Rolleston are limited to a pub/restaurant, café/tearoom, village hall, church and recreational facilities and a nearby farm shop. I find that the proposed bungalow would only make a limited contribution towards enhancing or maintaining the vitality of the local community.
15. I acknowledge the appellants' desire to provide a dwelling for themselves and an elderly relative, thereby freeing up a family dwelling for occupation. I have taken the appellants' submission regarding the general housing requirements in the District into account. Nevertheless, no specific local housing need has been

demonstrated in Rolleston and there is no shortage of available housing land within the District.

16. The appellants consider that there would be benefits from the scheme including contributing to the local economy through construction of the dwelling and adding to the District's housing land supply. There would be a limited contribution towards the vitality of the village through spending by residents in the local economy. I have determined that the site is within the open countryside and would conflict with Spatial Policy 3 which has recently been adopted. I have also considered the need to boost the housing land supply, paragraph 73 of the Framework and footnote 37, but even if the Council could not demonstrate a 5 year housing land supply, the adverse impacts of allowing the development in the countryside and consequent harm to the character and appearance of the rural area would significantly and demonstrably outweigh the benefits.

Conclusion

17. I have taken all other matters raised into account. However, for the reasons given above I conclude that the appeal should be dismissed

Martin H Seddon

INSPECTOR