



Appeal Decision

Site visit made on 3 September 2019

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2020

Appeal Ref: APP/B3030/W/19/3231468

Peasebloom, Crew Lane, Southwell, Notts NG25 0TX

- 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 Executors of G R Bush against the decision of Newark & Sherwood District Council.
 - The application Ref 18/02341/OUT, dated 20 December 2018, was refused by notice dated 1 February 2019.
 - The development proposed is erect dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have noted that the address of the property is incorrectly spelt on the decision notice. I have taken the address details from the planning application form.
3. The Council's decision notice refers to Policy 'S1' of the Southwell Neighbourhood Plan. The information submitted with the appeal confirms to me that the policy referred to is Policy SD1 of the Southwell Neighbourhood Plan and I have referenced this policy when coming to my decision.
4. Since the Council refused planning permission it has adopted the amended Core Strategy Development Planning Document (March 2019). Spatial Policy 3 (SP3) has been updated. The adopted and emerging versions of SP3 were included in the Council's reason for refusal and their aims are similar. The parties have therefore had the opportunity to comment on the implications of this change to their respective cases. I have dealt with the appeal on this basis.
5. The appeal scheme relates to an outline proposal, with access to be considered at this stage, and with all other matters reserved for future consideration.

Main Issue

6. Whether the proposed development would be appropriately located, having regard to the development plan's strategy and accessibility of services and facilities.

Reasons

7. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for Newark and Sherwood comprises the Amended Core Strategy Development Planning Document adopted March 2019 (CS), the Allocations and Development Management Development Planning Document adopted July 2013 (DPD) and the Southwell Neighbourhood Plan adopted 2015 (NP).
8. The appeal site is an area of land to the east of Peasebloom, a detached house located on Crew Lane, Southwell. Within the site is a detached brick-built storage building, a domestic greenhouse and some outside storage. There are indications on site that the brick building has previously been a larger structure. Crew Lane provides access to a small industrial estate at the edge of Southwell. Beyond the industrial estate the lane becomes narrow and rural. The appeal site is accessed from the rural section of Crew Lane via an existing gated access. The boundaries of the land are well defined and include a dividing wall separating it from the adjacent house and mature landscaping to Crew Lane. The plot adjoins open fields to its rear and eastern side.
9. Policy SP1 of the CS sets out the settlement hierarchy for the Newark and Sherwood area. The aim of the policy is to provide a flexible framework for delivering sustainable growth. It identifies Southwell as a Service Centre. The policy confirms that the extent of the main built-up areas of service centres will be defined by an urban boundary. The policies map in the DPD shows that Peasebloom and the appeal site are beyond the urban boundary of Southwell. Beyond urban boundaries and outside of Green Belt areas policy SP1 states that development will be considered against the sustainability criteria set out in SP3.
10. Policy SP3 of the CS states that in rural areas local housing need will be addressed by focusing housing in sustainable, accessible villages and that development that is not in a village or settlement, in the open countryside, will be strictly controlled to uses that require a rural setting. Similarly, paragraph 78 of the National Planning Policy Framework (the Framework) says that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.
11. In accordance with the DPD policies map I find that the appeal site is beyond the urban boundary of Southwell. Further, the site is not in any other village or settlement and therefore the development plan identifies the site as located in open countryside. In the countryside Policy SP3 supports the reuse of rural buildings and development that accords with Policy DM8 of the DPD.
12. Policy DM8 of the DPD only supports new dwellings where necessary to meet the needs of a rural worker, where replacing an existing dwelling or where a new dwelling of exceptional quality or innovative nature of design is proposed.
13. The application, although in outline, includes an indicative layout plan which shows a modest two storey dwelling. There is no evidence before me that the proposed dwelling would be required for a rural worker or that the scheme would be of exceptional quality in the context of the test set out in Policy

DM8. Therefore, there is no policy support for the erection of a dwelling on the site based on the criteria set out in Policy DM8.

14. The appellant considers that the site is conveniently located close to, and within easy walking distance of, a wide-range of services and facilities. The site is on a narrow lane with no footpaths. I observed on site that the road is only lightly used and so one might feel safe walking along it in daylight hours. On foot or by bicycle it would be possible to reach facilities at the nearby industrial estate and the garage on the main road frontage. I attach a small amount of weight to the limited benefit one dwelling would contribute to supporting the services at the industrial estate and the garage.
15. The appellant also assesses the accessibility of the site to other locations by bus and cycle. However, in my view it is likely that given the distances involved and the limitations of the immediate rural road that most of the trips to access work, schools and leisure facilities would be by car. In these circumstances there are no significant sustainability credentials in terms of accessing facilities by other means than the car.
16. Consequently, I conclude that the appeal site would not be an appropriate location for the erection of a dwelling and the development would conflict with the requirements of Policy SP3 of the CS and Policy DM8 of the DPD. It would also conflict with Policy SD1 of the NP which seeks to ensure that sustainability is considered in all development proposals and references the need to comply with the relevant Council policies as part of the sustainability principles. Further, the development would conflict with paragraph 78 of the Framework.

Other Matters

17. The Council consider that it has a 5-year housing land supply and the appellant does not challenge this view. However, the appellant indicates that the council area has a shortage of small 2 bedroomed properties which the appeal site could address. The Council indicate that adequate provision has been made within a sustainable and co-ordinated growth strategy in the Council's development plan to meet the housing requirements for the district. Therefore, I can attach very limited weight to the provision of a single dwelling wherein the Council have a five-year housing land supply in an up to date Core Strategy document.

Planning Balance and Conclusion

18. For the reasons given above, the limited economic and social benefits from a single dwelling would not outweigh the conflict that I have identified in terms of the adopted settlement strategy and environmental harm from additional vehicle trips in an authority with an up to date housing land supply. As such the proposal would not be the sustainable development for which paragraph 11c of the Framework indicates a presumption in favour.
19. Therefore, the proposal would conflict with the development plan, when read as a whole. Material considerations, including the Framework, do not indicate that a decision should be made other than in accordance with the development plan. Having considered all other matters raised I therefore conclude that in this particular case the appeal should be dismissed.

Diane Cragg

INSPECTOR