



Appeal Decision

Site visit made on 4 February 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2020

Appeal Ref: APP/P3040/W/19/3239889
Nutwood, Fosse Way, Kinoulton NG12 3ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Harling against the decision of Rushcliffe Borough Council.
 - The application Ref 18/02915, dated 18 December 2018, was refused by notice dated 3 May 2019.
 - The development proposed is an additional new dwelling on the land adjacent to the existing bungalow on the site.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The policies from the Rushcliffe Non-statutory Replacement Local Plan referred to by the Council in its decision notice have been superseded by policies from the Rushcliffe Local Plan Part 2: Land and Planning Policies (LP2) which was adopted in October 2019. The parties' submissions acknowledge this change to the local development plan; consequently, I am satisfied that the main parties have had sufficient opportunity to comment on this change in circumstances in relation to the proposed development.

Main Issues

3. The main issues are:
 - Whether the proposed development would provide a suitable location for housing having particular regard to accessibility to services and facilities; and,
 - The effect of the development on the character and appearance of the locality.

Reasons

Location for housing

4. The appeal site lies on a secondary road parallel to the A46, a strategic regional route. It lies on the edge of a loose grouping of mixed residential and commercial development. The nearest village is Kinoulton lying some distance to the east and accessible along country lanes. The site lies outside of the village and within an open countryside area.

5. Policy 3 of the Rushcliffe Local Plan Part 1: Core Strategy (2014) (LP1) limits housing development to identified settlement areas. Policy 22 of the LP2 sets out the types of development acceptable in countryside areas however this does not include the construction of market housing. Consequently, the location of development conflicts with the Council's strategic and detailed policies for sustainable housing delivery which is directed to existing settlement areas.
6. In support of the appeal, the appellant identifies that the site provides access to local services within Kinoulton, local employment opportunities and public transport facilities.
7. Whilst there are a number of businesses and some community amenities, there is little in the way of day-to-day services or facilities within Kinoulton. For those limited facilities that are present within the village, access by means other than private motor vehicle would require the use of undulating unlit country lanes substantially devoid of pavements and subject to a 60mph speed limit. As such, walking and cycling would be impractical and unsafe for the majority of users.
8. Local bus services lie within walking distance of the site. However, these are infrequent and future occupants of the development would consequently be largely reliant on private motor vehicle modes of travel to access day-to-day services and facilities. Opportunities to maximise sustainable transport solutions would therefore be limited in this location.
9. The location of the proposed dwelling is such that it would be close to other development but would be distant from the nearest settlement area. It would contribute to the supply of housing in the Borough where housing land supply has been below that required by the National Planning Policy Framework (the Framework) since 2012/13. However, the Council's adoption of the LP2 demonstrates a healthy housing land supply going forward and a ratified strategy for its delivery. The benefit to housing delivery arising from a single residential unit is therefore limited and would not outweigh the harm arising from its distance from day-to-day services.
10. The site's location close to employment sites may give rise to work opportunities, however, this would not outweigh the negative environmental and social effects arising from the location in terms of the use of natural resources and poor accessibility.
11. The appellant has drawn my attention to 2 previous appeal decisions¹ relating to new housing lying outside of settlement boundaries which were allowed within the Borough area. In the absence of full details of those cases within the evidence, I am unable to ascertain the full circumstances of the decisions or draw comparisons between them. However, the existence of development elsewhere does not represent an appropriate reason to find in favour of a proposal that would cause harm or lead me to alter my findings on this issue.
12. For the above reasons, I conclude that the development would be located where accessibility to facilities and services is poor such that it would be dependent on the use of private motor vehicles for day-to-day living and would

¹ APP/P3040/W/19/3226131 and APP/P3040/W/18/3205676

conflict with Policy 1 of the LP1 and Policy 22 of the LP2 which, amongst other things, seek to concentrate new development to urban areas.

Character and appearance

13. Development on this part of the road is generally individually designed, well-spaced and set within large plots. Buildings are set back from their frontages and benefit from established vegetation screening set behind a wide road verge.
14. The proposed dwelling would contrast with other development in the locality as a consequence of the overall visual bulk that would arise from its significant depth and width dimensions taken with its greater height. Despite the variation of forms locally, the building would appear excessively scaled in this context.
15. Although the site benefits from seasonal screening to its frontage, this scale of development, accentuated by the close siting to the existing property at Nutwood, would undermine the existing sense of space about and between individual buildings along this part of the road. This would be readily apparent when deciduous frontage planting has dropped its leaves and consequent to the formation of a second open driveway on the roadside.
16. The appellant suggests that the scale of the proposal would not appear at odds with the existing dwelling at Nutwood should extensions, for which planning permission² has been granted, be implemented. The difference in height between the dwellings would be reduced in that instance, however, the combined scale of development taken with its close siting, would further reduce the sense of openness arising from the current grain of well-spaced development
17. As a consequence of the scale and siting of the dwelling and the subdivision of the existing plot, the building would undermine the existing character and appearance of development on this part of the road and conflict with Policy 10 of the LP1, Policy 22 of the LP2 and the Framework as they seek to secure development that contributes positively to the character and appearance of the locality.

Conclusion

18. For the above reasons, the appeal should be dismissed.

R Hitchcock

INSPECTOR

² 17/01036/FUL