



Appeal Decision

Site visit made on 13 January 2020

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2020

Appeal Ref: APP/P3040/W/19/3239537

Land to the north of Willow Cottage, Main Street, Sutton cum Granby NG13 9QA

- 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 B Roberts against the decision of Rushcliffe Borough Council.
 - The application Ref 19/00330/OUT, dated 29 January 2019, was refused by notice dated 9 May 2019.
 - The development proposed is the erection of 4 dwellings.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The address used on the application form, and on the appeal form, are slightly different to that used on the Council's Decision Notice. I have used the one from the application form, but with the addition of the road name, for clarity.
3. The Rushcliffe Local Plan Part 2: Land and Policies (LP) was adopted in 2019. This Plan is therefore now afforded full weight. Furthermore, the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006) (NSLP) has been revoked. Accordingly, policies HOU4, EN19, EN20 and GP1 of the NSLP and referred to in the Council's Decision Notice have fallen away.
4. Furthermore, following the adoption of the LP, the Council can now demonstrate a 6-year housing land supply. This includes a 10% buffer and covers the period of 2019 to 2024. This new position has been agreed between parties.
5. The planning application was made in outline only with all matters reserved. I have therefore treated the submitted layout plan as indicative only.

Main Issues

6. The main issues are:
 - whether the site is an appropriate location for housing with respect to the Council's spatial housing policies and national policy, and
 - the effect of the proposal on the character and appearance on the area.

Reasons

Spatial housing policy

7. The Development Plan for the district includes the Rushcliffe Local Plan Part 1: Core Strategy 2014 (CS) and the recently adopted LP. Policy 3 of the CS identifies that the majority of growth is directed towards the main built-up areas of Nottingham and 6 key settlements. Paragraph 3.3.17 explains that development outside of these areas will be required to meet local needs. It also explains that these would be delivered through small scale infill development or on exception sites. The site is adjacent to a small group of dwellings and opposite others. It is not between buildings in an otherwise built up frontage. Furthermore, it is within the open countryside and would not therefore be an infill site.
8. Furthermore, Policy 22 of the LP, refers to development located outside of the physical edge of settlements within the countryside. This allows a restricted range of development including such that requires a rural location, including agriculture and forestry, and exception sites that provide for affordable housing. Criteria 3b, of this policy, relates to new dwellings and explains that development should not constitute isolated development which is separated from the physical edge of a development and should not extend ribbon development. Supporting text in paragraph 6.11 of the LP explains that development that extends beyond the identifiable boundary of the settlement is considered as being within the countryside. The site is not isolated, being adjacent to a small group of dwellings. However, it would extend the hamlet into open countryside and would be beyond the identifiable boundary of the hamlet. In this circumstance, development of the appeal site would contribute towards ribbon development.
9. Paragraphs 77-79 of the National Planning Policy Framework (The Framework) state that rural housing provision should respond to local circumstances and support local needs. This would include through the provision of affordable housing on rural exception sites to meet identified local needs. The Framework also states that Councils should consider allowing some market housing if it would help facilitate this. Furthermore, paragraph 78 of the Framework supports rural housing development that can enhance and maintain the vitality of rural communities. Sutton Cum Granby is a small hamlet without any defined services or facilities. The hamlet is some distance from the nearest settlement that provides services such as Cropwell Bishop and Bingham, although these services are limited. Furthermore, Orston has a small primary school, public house, village hall and church but is also some distance from the site. The proposal could be capable of providing some support for these services although a clear link is not established.
10. Therefore, although the Framework identifies that development in one village may support another, I find the proposal would make only a negligible contribution to the vitality of local services the area. The Appellant explains that a bus service passes the appeal site but has not explained its frequency or destination. In any event, future occupiers would be largely reliant on car borne travel to access basic services, facilities and employment. Consequently, the site would have poor access to sustainable travel methods, even taking into

account the Framework's recognition that rural areas will have reduced access to sustainable travel.

11. The Council has not identified any specific local needs in regard to mix or type of homes that are required in the local area. However, the Appellant has also not identified how his proposal would meet any local housing needs. Therefore, it is unconvincing that the type of housing proposed would provide for any latent local housing need.
12. Consequently, the proposal would not accord with policies 1 and 3 of the CS which establish the Council's presumption in favour of sustainable development and requires development growth to accord with the defined settlement hierarchy. The proposal would also not accord with policy 22 of the LP, as it would extend ribbon development. The proposal would also fail to meet the objectives of the Framework which seek rural housing that would contribute towards the vitality of rural services and meet identified local needs.

Character and appearance

13. The appeal site consists of the top section of a large field. The site boundaries consist of existing field boundaries apart from the rear which is undefined by physical markers. The site is adjacent to an existing residential boundary on one side. The front boundary consists of a line of trees and hedges. There are also some dwellings opposite the site, although the local context is rural in character. The small linear settlement of Sutton Cum Granby is largely to the southwest of the site. The site affords wide and open views to the surrounding countryside. This greenfield site is at the entrance to the settlement and makes a positive contribution to the rural character of the surrounding area.
14. The indicative layout plan has been submitted to demonstrate how the site would satisfy the requirements of a reserved matters application. This shows a configuration of large detached dwellings on spacious plots. Each of which would address the highway. They would include frontage parking and have individual access points onto the highway. Although indicative these details provide a useful insight into how the site would be likely to be developed.
15. In consideration of the size of the site and number of units, it is likely that the dwellings would be relatively sizeable. The three new access points would provide new views into the site, by removing parts of the hedgerow. Moreover, each dwelling would include hardstanding for its parking provision. These elements combined would introduce a substantial amount of built form to the site. The site is exposed to open views of the countryside to its side and rear. Therefore, despite the outline nature of the proposal, the proposal would inevitably have a harmful urbanising impact on the currently open and rural character of the site and the wider landscape.
16. The indicative plan shows that the majority of the hedgerow would be retained. However, this only partially screens the site and built form on the site would consequently have a substantial impact on the open character on the edge of the hamlet. The site would not therefore represent a logical extension of the village. The approach to the hamlet, from the north, is generally open to wide views of the countryside. Buildings to the west side of the road are dispersed and set back. These do not intrude into or enclose the generally open view.

17. The Council recently approved development¹ opposite the site for three dwellings. That site is in between existing buildings, it would consolidate the built form of the settlement, without encroaching into the open countryside. The Council found the proposal to be acceptable as it was an infill site, with development either side. The approved development appears to be generally similar to the proposal in terms of layout and density. However, although this may illustrate an acceptable approach to design this does not necessarily suit the context of the appeal site. The approved scheme is therefore not directly comparable to the proposal, having a different context and relationship to adjacent buildings. Consequently, the proposed development would substantially harm the rural character of the site and the area.
18. Accordingly, the proposal would fail to comply with policy 10 of the CS which seeks development to make a positive contribution to the public realm. Furthermore, the proposal would not accord with policy 22 of the LP, which amongst other things seeks to resist development that would fail to enhance the character and appearance of the landscape. These policies are also in general conformity with the Framework which seeks development to be sympathetic to the local character.

Other matters

19. The site is opposite a grade II listed building. 'Highfield Farmhouse' is three stories, has rendered walls and hipped slate roofs. I have a statutory duty² to have special regard to the desirability to preserve the setting of a listed building. The significance of the listed building derives from its age, scale and architectural detailing. However, it is some distance from the appeal site and separated by boundary enclosures and the highway. Accordingly, the proposal would have no discernible effect on the setting of the listed building and hence preserve its significance.
20. The Appellant refers to a recent approval in Thoroton³. The comparison images on page 8 of the Appellant's Design and Access Statement set this alongside the appeal site. I do not have the full details of the context of this approval. However, the approved scheme appears to be opposite and adjacent to a relatively continuous row of existing development. In contrast, the appeal site is exposed, and the adjacent settlement is more disaggregated. Therefore, the sites are not directly comparable.
21. The appeal decision in Orston⁴ relates to development on the edge of a village. The Inspector identified that the settlement had a range of services including a railway station, public house and school. The Inspector found that the proposal was not infill but nevertheless would meet sustainable objectives of the local plan. The appeal site does not benefit from access to such a range of services and is therefore not comparable to this case. In any event, each case must be considered on its own merits.
22. Furthermore, the appeal decision in Alderton⁵ found that a lack of access to public transport was acceptable, despite its rural location, as local and national policy would not regard this alone as sufficient reason to prevent further

¹ Planning Application Reference: 19/01420/FUL

² Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990

³ Planning Application Reference: 18/02283/FUL

⁴ Planning Appeal Reference: APP/P3040/W/19/3222738

⁵ Planning Appeal Reference: APP/G1630/A/13/2209001

residential development in such communities. However, the Inspector concluded that whilst it is not uncommon for villages to be poorly served by public transport, the absence of sustainable modes of transport constituted an adverse impact.

23. The Appellant suggests that the proposal would satisfy Policy 11 of the LP. This provides criteria against which housing on unallocated sites within the built-up areas in settlements should be assessed. However, as I have found that the site would not be an infill site or within a settlement, this policy is not germane.

Planning balance and conclusion

24. The Framework seeks to significantly boost the supply of housing. The proposal would make a small contribution to the supply of housing in the area. It would also provide some limited benefits to local employment during construction and make a limited contribution towards the vitality of local rural businesses and services. However, the proposal would be contrary to the spatial housing strategy of the Development Plan and harm the character and appearance of the area. Accordingly, the proposal would conflict with the development plan. There are no other material considerations, including the Framework, that outweigh this conflict.

25. For the above reasons the appeal is dismissed.

Ben Plenty

INSPECTOR