



Appeal Decision

Site visit made on 11 January 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2021

Appeal Ref: APP/A3010/W/20/3260263

Sunnyside, Plantation Road, East Markham NG22 0SD

- 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 Mrs Jill Pateman against the decision of Bassetlaw District Council.
 - The application Ref 20/00381/OUT, dated 23 March 2020, was refused by notice dated 30 July 2020.
 - The development is Proposed single-storey, detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application to which this appeal relates was made in outline, with all matters reserved for future consideration. I have therefore considered the proposed Site Plan solely on the basis that it has been submitted for indicative purposes.
3. The Draft Bassetlaw Local Plan is an emerging document. It is currently undergoing public consultation and will replace the Bassetlaw Local Plan 2011. However as this is an emerging plan, I apply limited weight to its policies.

Main Issue

4. The main issue is whether or not the proposal would preserve or enhance the character or appearance of the East Markham Conservation Area (CA).

Reasons

5. The appeal site is located within the CA. The former market settlement is recognised for its post-Roman Anglo-Saxon origins. Former agricultural buildings with dovecotes and pigeoncotes are visible along most of the main thoroughfares. The layout is a typical medieval village with planned streets with buildings of red brick and terracotta coloured tiled roofs. Some more modern housing developments are interspersed throughout the CA.
6. The magnificent 15th Century Grade I Listed St John the Baptist church is located some distance from the appeal site as well as the Grade II Listed Pigeoncote at the Woodward Farm opposite. These heritage assets would not be compromised by the proposal in this location due to their separation distance and relationship with the appeal site, or intervening buildings.

7. The appeal site forms part of a row of approximately nine other detached dwellings along this section of the road separated from the others on the same side further along Plantation Road by a significant area of landscaped space. Sunnyside sits close to and sides onto the road and is long and rectangular in shape. It is located on a slope with the mature garden area positioned on a different tier to the main dwelling.
8. The historical plan form of the village consists broadly of reasonably rectangular and narrow buildings with regular long plots of land laid out perpendicular to the roads. Whilst the appeal site is an unlisted building, it contributes positively to the special interest of the conservation area and is identified as such within the Council's CA Appraisal & Management Plan (CAAMP).
9. Positioning a dwelling deep into the plot with no street frontage would distort the pattern of single dwellings with street frontages that forms part of the distinctiveness of the CA.
10. Furthermore, part of the positive contribution Sunnyside makes to the character and appearance of the CA is that it is located within a strongly defined long rectangular plot that is characteristic of the settlement's historic plan form. An additional dwelling would sub-divide this plot and, in so doing, result in an uncharacteristic form of development within this part of the CA.
11. The proposed new dwelling would be positioned at a raised level and, despite the existing landscaping on site, it would be visible from the street scene and from private views. Even though it would be intended as single storey in height it is indicatively demonstrated as square and squat in shape, which would not be characteristic of the local built form, further highlighting its discordant and harmful appearance.
12. A dwelling approved at Kirkes Barn is not comparable as it is a much larger plot and other development that I would broadly describe as back land development, is located adjacent to it. It does not share the same characteristics as the appeal site. I apply limited weight to this example.
13. Whilst there are other examples of non-linear development in the settlement, such as the nearby cul-de-sac on Plantation Road, I am not aware of their planning history. Moreover, the CAAMP notes that 'From the mid-20th century onwards, development has often been at odds with the pre-existing urban grain' and goes on to say that features such as cul-de-sacs have caused harm to the character of the CA. Rather than setting a precedent for the appeal proposal, such examples highlight how the cumulative effect of incremental changes to the plan form of the CA can have a materially adverse effect on its character and appearance.
14. I appreciate that the garden maintenance may become problematic to the appellants and they may seek a smaller home that allows them to remain living locally. However, these private benefits do not outweigh the identified harm and the conflict with the development plan and the National Planning Policy Framework (the Framework).
15. To conclude on this main issue, the proposed development would amount to harm arising to the character and appearance of the CA. It would not preserve or enhance the heritage asset. Therefore it would not accord with the

Bassetlaw Local Development Framework Policies DM4 and DM8 in their design and protection of heritage assets aims, or accord with the advice contained in the Successful Places Supplementary Planning Document, and would conflict with the objectives of the East Markham Conservation Area Appraisal & Management Plan. It would be contrary to the Framework that seeks to achieve well designed places and to conserve and enhance the historic environment. Finally, it would not accord with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires development to preserve or enhance the special character or appearance of the CA.

16. In the words of the Framework, the harm I have identified to the CA, a designated heritage asset, is less than substantial. Any harm requires clear and convincing justification. The proposal could free up a larger family home and contribute an additional dwelling to the housing stock. Single storey living may be advantageous to elderly people or those with disabilities. There would be economic benefits during construction and local spending would increase. The energy efficiencies of the proposed dwelling are also noted. However, individually and collectively, these do not amount to public benefits which convincingly outweigh the harm to the heritage asset.

Conclusion

17. There are some policies in the development plan that support the appeal scheme. However, the most important policies to the determination of this appeal are those referred to above with which I have found conflict. I attach considerable importance and significant weight to the conflict between the appeal proposal and the development plan in relation to heritage harm.
18. The application of policies in the Framework that protect assets of particular importance provides a clear reason for refusing the development proposed. Consequently, the presumption in favour of sustainable development does not apply.
19. The proposal would conflict with the development plan as a whole. There are no other material considerations, including the provisions of the Framework, which outweigh this finding.
20. Therefore, for the reasons given, the appeal is dismissed.

Alison Scott

INSPECTOR

