



Appeal Decision

Site visit made on 1 June 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 June 2021

Appeal Ref: APP/B3030/W/20/3264664

**Land adjacent to The Haven, Newark Road, Wellow, Newark,
Nottinghamshire NG22 0EH**

- 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 John Buck against the decision of Newark & Sherwood District Council.
 - The application Ref 20/01874/FUL, dated 24 September 2020, was refused by notice dated 4 November 2020.
 - The development proposed is the siting of a park home.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. There is a discrepancy in the location of the site on the application form and the Council's Decision Notice. I have used the site address given on the application form, but the site is easily located and identifiable. I am satisfied that neither party is prejudiced in this instance.
3. The Council have stated that they no longer wish to pursue the second reason for refusal, as they are satisfied that the public right of way is not compromised, following clarification. Therefore, I shall not attend to this issue any further in my decision.

Main Issue

4. The main issue in this appeal is whether the site represents an appropriate location for the development with regard to the housing strategy for the area.

Reasons

5. The appeal site is neither in Ollerton (which the Council have given as the location) or Wellow. There is some mention of the area being called Wellow Green, but it is likely to be a local place name. I have been supplied with a local plan map, which shows the site to be located away from both Ollerton and Wellow, and another Inspector, when determining an appeal with regard to an adjacent traveller site stated that "*...the appeal site lies outside any settlement boundaries*" (APP/B3030/W/16/3152355).

6. I note from the evidence of the appellant that they consider the site to be part of a settlement, and part of the settlement of Wellow, which according to the Local Plan does not have a defined settlement boundary. I concur with my fellow Inspector that it does not lie within a formal settlement boundary, and I do not consider a handful of traveller plots and residential dwellings to create a formal settlement.
7. Therefore, while the site is not isolated, as it is located outside of a settlement, it is located in the open countryside for the purposes of planning policy.
8. In open countryside locations, Spatial Policy 3 (SP3) of the Newark and Sherwood Amended Core Strategy (2019) (the ACS) states that local housing need will be addressed by focussing housing in sustainable, accessible villages and development not in villages or settlements in the open countryside will be strictly controlled and restricted to uses which require a rural setting.
9. As the site is away from a village or settlement, the appeal proposal is not assessed against the sustainability criteria of SP3. In addition to this Policy DM8 of the Allocation and Development Management DPD (2013) (the DPD) sets out a number of criteria for development in the open countryside and the appeal proposal does not meet any of those criteria, so cannot rely on any support from that policy.
10. Therefore, I find that the proposals are contrary to both Policy SP3 of the ACS and Policy DM8 of the DPD, and in relation to the comments of the appellant that the policies are not consistent with the National Planning Policy Framework, I find that they are consistent in relation to sustainable rural development and the recognition of the innate character and beauty of the countryside.

Conclusion

11. For the reasons set out above, the appeal is dismissed.

Paul Cooper

INSPECTOR