



Appeal Decision

Site Visit made on 9 August 2021

by Mark Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2021

Appeal Ref: APP/B3030/W/21/3274699

Willow Bend, 68 Station Road, Collingham NG23 7RA

- 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 Andrew Barrie against the decision of Newark & Sherwood District Council.
 - The application Ref 20/01582/FUL, dated 3 August 2020, was refused by notice dated 30 November 2020.
 - The development proposed is described as the 'construction of new dormer bungalow within the land of Willow Bend. Construction includes new detached double garage for new building and new detached double garage for Willow Bend. Existing garage and timber outbuildings to be removed'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 20 July 2021, the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties have had the opportunity to comment on the relevance of this to the appeal. I have had regard to any comments received and the revised Framework in my decision.

Main Issues

3. The main issue is whether the site would be a suitable location for a new dwelling, having regard to the housing strategy for the area, and the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site comprises a substantial detached dormer bungalow set within a spacious plot. It is accessed via a relatively long private access track to the south of Station Road towards the eastern side of Collingham. There is an existing detached garage and timber stables within the site. The southern boundary of the site is bounded by an established hedgerow. A public right of way runs alongside part of the western site boundary. There is a group of trees in the eastern part of the site, with a railway line beyond.
5. The site has a transitional character between the linear form of development fronting Station Road to the north with fields immediately to the south and paddocks to the west. Despite the presence of the host property, the spacious and verdant semi-rural character of the site complements this part of the countryside. Dwellings within the surrounding area vary in size and design and include bungalows and two storey detached and semi-detached houses. There

is a small collection of traditional, red brick buildings adjacent to the eastern side of the site access.

6. Collingham is identified as a 'Principal Village' in Spatial Policy 1 of the Newark and Sherwood Amended Core Strategy (the Core Strategy)¹. These are villages which have a good range of facilities and act as a secondary focus for service provision to assist rural accessibility. Part of the access to the appeal site would be within the village envelope. However, the main body of the site, which includes the host property and the location of the proposed dwelling, are located beyond the village boundary and the proposal would therefore be within the open countryside for the purposes of the Council's spatial strategy.
7. Policy 3 of the Core Strategy states that development not in village or settlements will be strictly controlled and restricted to uses which require a rural setting. Policies to deal with such developments are set out in the Newark and Sherwood Allocations and Development Management Development Plan Document (DPD)². Policy DM8 of the DPD states that development away from the main built-up areas of villages, in the open countryside, should be strictly controlled. It goes on to say that new dwellings in the countryside will only be permitted if they are of exceptional quality or innovative design, reflect the highest standards of architecture, significantly enhance their immediate setting and are sensitive to the defining characteristics of the local area.
8. The proposed dwelling would be located in the south west corner of the site and would replace the existing garage and stables. Due to its position behind the existing dwellings fronting Station Road to the north, the proposal would not be readily visible from the road. However, it would be clearly visible from the adjacent footpath to the west. The proposal would be much closer to the public footpath than the existing property. In addition, the proposal would project further south beyond the extent of the existing dwelling, which represents an encroachment into the countryside. Although of a smaller scale than the host property, the proposal would still be a substantial structure which would be clearly visible above the adjacent hedgerows.
9. The design of the proposed dwelling would broadly reflect the appearance of the existing and other properties in the area, but it is not of exceptional quality or innovative design and it would not enhance its immediate setting. Policy DM8 of the DPD allows for the replacement of non-residential buildings where they are related to established uses or proposed uses and such proposals will need to demonstrate that the buildings to be replaced originated from a permanent design and construction; are not of architectural or historical merit; have not been abandoned and are not suitable for conversion to other uses; and should be located within the curtilage of the site it is intended to serve. The justification to the policy explains that replacement buildings should be of similar size and siting to their predecessor.
10. The existing garage and stables are relatively small single storey buildings which do not detract from the character of their surroundings. The scale and massing of the proposed dwelling, including its footprint and height, and the detached garage which would be positioned alongside it, would make the proposed

¹ Review of the Newark and Sherwood Local Development Framework Core Strategy and Allocations Amended Core Strategy 2019

² Newark and Sherwood Local Development Framework Allocations and Development Management Development Plan Document 2013

development a much more substantial and dominant presence than the existing buildings it would replace.

11. The appellant submitted a Landscape and Visual Statement (LVS) with the appeal. However, the LVS does not alter my reasoning regarding the harm that would result; it still shows that there would be some effect on the landscape arising from the proposal, which I have reasoned would be harmful.
12. The appellant indicates that they would be willing to amend the design of the proposal, should it be considered necessary. However, I have no alternative scheme before me and must consider the appeal scheme on its own merits.
13. I find therefore that the appeal scheme would detract from the transitional semi-rural character of the site, which would be harmful to the countryside and the rural setting of the village. The proposal would conflict with the housing strategy for the district and harm the character and appearance of the area. The proposal would therefore conflict with Spatial Policy 3 and Core Policies 9 and 13 of the Core Strategy, and Policies DM5 and DM8 of the DPD which, amongst other things, require that new development in the countryside is strictly controlled, that development protects and enhances the landscape and contributes to local distinctiveness and character. The proposal would also be contrary to paragraph 174 of the Framework, which requires that development should contribute to and enhance the natural and local environment.

Other Matters

14. The appellant has provided an historic map which they believe indicates that a dwelling once stood on the site of the proposal. However, the evidence suggests that if there was a dwelling, it has long since been demolished and has had no bearing on my consideration of the planning merits of the current circumstances.
15. My attention has been drawn to a nearby residential development known as 'The Hedgerows' which is under construction on land to the north side of Station Road. Although I do not have the full details of that development, the information provided by the appellant indicates that the village boundary was extended to include that land as a housing allocation. It is not comparable to the appeal proposal which would be located beyond the village envelope and I therefore give this little weight in my consideration of the appeal.
16. The appellant considers that the proposal would improve security on the site through increased surveillance. However, there is no evidence before me to demonstrate that there are security issues at the site or that the appeal proposal is the only means of achieving this benefit, and this matter therefore attracts little weight.
17. The proposal would provide a new dwelling for the appellant who would continue to live on the site and this would release the existing larger dwelling for occupation by another family. However, no specific local housing need has been demonstrated. The development would offer potential benefits in terms of providing a new dwelling to the Council's housing stock. It would also have economic benefits through employment opportunities during the construction phase of the development, Council tax revenue and spending in the local area by future occupants. I have attached some weight to these factors. However, given the modest scale of the development, the weight attributable to these

matters is limited and is not sufficient to outweigh the harm that I have identified and the conflict with the policies I have referred to.

Conclusion

18. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Mark Ollerenshaw

INSPECTOR