



Appeal Decision

Site visit made on 1 March 2022

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 23 March 2022

Appeal Ref: APP/A3010/W/21/3281848

Land at Haggonsfield Farm, Tylden Road, Rhodesia S80 3HW

- 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 Coupland against the decision of Bassetlaw District Council.
 - The application Ref 21/00452/FUL, dated 19 March 2021, was refused by notice dated 18 May 2021.
 - The development proposed is to erect a single dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. It is common ground between the parties that Policies CS1 and CS2 of the Bassetlaw Core Strategy and Development Management Policies DPD (2011) (BCSDMP) are considered to be out of date and carry limited weight, and Paragraph 11 of the National Planning Policy Framework (the Framework) therefore provides the basis for determining the application.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the surrounding area; and
 - whether the proposed development would be located in a suitable location, having particular regard to whether it is necessary to support agricultural operations on the site and its access to services and facilities.

Reasons

Character and appearance.

4. The appeal site forms part of a cluster of traditional buildings which lies in the western part of Rhodesia, in a visibly distinct area to the south of Steetley Lane with a school playing field to the east and open fields to the south. This grouping of buildings is a marked contrast to the rest of the settlement which is mainly more recent housing estates.
5. In this area, buildings primarily address the road frontage with historic and more modern farm buildings associated with Haggonsfield Farm extending back towards fields at the rear. The farm site has the school playing field

immediately to the east, delineated by a distinctive stone wall with a line of trees just within the boundary of the farm. The trees have been substantially lopped allowing the farm buildings to be visible from Tylden Road and Marjorie Street.

6. The buildings at Haggonsfield Farm primarily comprise a large, modern agricultural building nearest to the road, linked to a two-storey, historic stone barn, and to the rear is the remains of a further large modern agricultural building with an attached single storey garage, which forms part of the appeal site. To the west of this is a stone bungalow occupied by the appellants' relatives which unlike most dwellings in this area is set well back from the road, although not readily visible in public views.
7. The appeal proposal focusses on the large, agricultural building which is now dilapidated and partly dismantled. It is of steel-frame construction with elements of breeze block, timber and stone walling and linked to a single storey garage which is nearest to the playing field boundary. At the time of my visit most of the corrugated sheet roof cladding had been removed and the most northern section of the building range had been demolished, leaving just the steel uprights, creating an open courtyard between the two farm buildings. The remnant building is now approximately on the footprint of the proposed dwelling.
8. Policy DM4 of the BCSDMP seeks to ensure (amongst other things) that new development respects its wider surroundings, is in keeping with the character and appearance of the area and respects development patterns. In my opinion, this policy accords with Paragraph 130 of the Framework which also requires development to be sympathetic to local character and the surrounding built environment.
9. In my view, the appeal proposal would appear at odds with the distinctive character, form and layout of development in the locality because siting the proposed dwelling at the rear of the site, beyond most farm buildings, does not reflect the characteristic clustering of buildings addressing the road. The building would be remote and detached and not following the grain of the distinctive settlement pattern. Whilst I note that this siting would be near to the existing dwelling on the site, this property is in a backland location, not typical of the siting of surrounding dwellings. Furthermore, the existing property is only single storey and relatively discretely sited, which would be in contrast to the proposed larger, two storey dwelling in a much more visible location, especially when viewed from across the school playing field. The appeal proposal would look out of place, and the existing dwelling should not be used as a precedent for perpetuating a visually harmful location.
10. I note that planning permission was previously granted for three dwellings fronting Tylden Road, in place of some of the Haggonsfield farm buildings. Although I have not had sight of this permission, it demonstrates that there are likely to be other locations for a new dwelling, in the appellants' ownership, which would have a better relationship with the surrounding built context and therefore be less harmful.
11. The proposal would therefore significantly detract from the character and appearance of the surrounding area and would therefore fail to accord with BCSDMP Policy DM4 and paragraph 130 of the Framework.

Location.

12. Although it is common ground between the parties that policies for the supply of housing cannot be considered up to date, the settlement hierarchy approach, as set out in BCSDMP Policy CS1, appears to me consistent with the general overarching sustainability aims of the Framework by considering where new development should and should not be located, directing housing growth to sustainable settlements and preventing uncontrolled growth in the surrounding countryside.
13. Policy DM3 of the BCSDMP applies to development within the countryside and provides a number of exceptions to support appropriate rural economic development proposals, including buildings in connection with agricultural operations. These will be supported where (amongst other things) it is necessary for agricultural purposes in the location proposed, and other more suitable sites are unavailable, the scale, design and form of the proposal is acceptable, and it is appropriate for its location and setting. Again, I find that this policy is still relevant as it supports the overarching sustainability aims of the Framework and the location of new development.
14. Aside from the harm to character and appearance that I have already found in relation to the location, the appeal proposal also fails to comply with other criteria in BCSDMP Policy DM3 to justify that this is an agricultural operation, and that there is a need for this dwelling in connection with it. There is no full agricultural statement of the functional and financial operations, no attempt has been made to explore the extension of the existing dwelling, to consider converting other buildings or to investigate alternative sites. I acknowledge that the appellants currently live four miles away from the farm and that they wish to support their relatives on the farm, that they aspire to rear farm animals and encourage their children to get more involved in farming activities, but there is no information before me to demonstrate that at this moment in time that this is an agricultural operation. The appeal proposal cannot, therefore, be supported by BCSDMP Policy DM3.
15. However, I recognise that the site is well related to the settlement, including adjoining a primary school and a post office just beyond the playing field. I have also been advised that the appeal site straddles the Worksop Development Boundary, as defined in the BCSDMP, although I have not been supplied with a plan showing the exact boundary. I consider, therefore, that despite the appeal proposal not being necessary to support agricultural operations on the site, as required by BCSDMP Policy DM3, this would not be an isolated home in the countryside and would have good access to services and facilities.
16. The proposed development would therefore be located within a suitable location. Whilst there would be some conflict with the development plan, it would comply with the Framework in this regard. Given the evidence provided to me and based on all that I have seen and read I consider that this outweighs the conflict with the development plan in this instance.

Other Matters

17. The evidence before me indicates that the proposal is for a self-build dwelling for the appellants. The Framework recognises the need to provide housing for different groups including for people wishing to commission or build their own

homes. The provision of one self-build dwelling has the potential to make a limited but important contribution towards the housing mix and the need for such plots in the area.

18. However, there is no substantive evidence before me to suggest that the proposal would meet unmet demand on the Council's self-build register. Furthermore, a planning obligation to secure a self-build dwelling has not been provided. This would be the appropriate mechanism to ensure the development of the dwelling would meet the legal definition in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). These factors greatly diminish the positive weight which I afford to the potential provision of a self-build house.
19. The Appellants mention that the new dwelling will sit on the footprint of the barn and is therefore a brownfield site suitable for accommodating a dwelling. The Framework, Annex 2: Glossary, provides a definition of previously developed land (also known as 'brownfield land') and this excludes land that is or was last occupied by agriculture, therefore providing no justification for the appeal proposal.
20. I note that the appellants agree that the Council has a five year supply of deliverable housing land. Nevertheless, the erection of a single property would deliver an additional dwelling that would add to the District's housing stock and meet with the Government's aims to boost the supply of housing, but this would be a limited benefit given the small scale of the proposal. There would also be an economic benefit through the construction and occupation of the dwelling. However, these benefits would be limited.
21. The proposal would bring social benefits through the subsequent activities of the future residents in the local area which would attract moderate weight in favour of the proposal. I also recognise that the dwelling is required to provide care for elderly relatives and to help with work on the farm, and on this latter point the appellants have indicated that the occupation of the dwelling could be restricted to persons associated with the operation on the farm. Whilst I have given the appellants' personal circumstances careful consideration, I am mindful of the advice contained in the Planning Practice Guidance¹ that in general planning is concerned with land use in the public interest. It is also probable that the proposed development would remain long after the personal circumstances cease to be relevant. I am also aware that the planning history of the site has demonstrated that there may be other ways of providing suitable accommodation. For these reasons, although there are some social benefits with this proposal, and that I have had regard to the personal circumstances, they are limited.
22. I also recognise that allowing this dwelling would be an opportunity to improve what is an untidy and neglected site, reuse some existing materials, and this potentially would also create a more attractive outlook for the existing dwelling. Whilst this would represent a modest improvement it would not overcome the significant harm that the proposal would cause to the character and appearance of the area. As a result, the environmental role of sustainable development would not be achieved.

¹ Paragraph 008 Reference ID: 21b-008-20140306 – 'What is a material planning consideration?'

Planning Balance

23. Whilst I consider that this is a sustainable location for a dwelling, the proposal would be harmful to the character and appearance of the area. There would therefore be conflict with BCSDMP Policy DM4 and the Framework which require that new development should be sympathetic to local character and the surrounding built environment.
24. When assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the socio-economic benefits of the proposal that I have identified. Therefore, the proposal would not be a sustainable form of development.

Conclusion

25. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G Bayliss

INSPECTOR