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## Appeal Decision

Site visit made on 18 October 2022

**by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 November 2022**

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**Appeal Ref: APP/P3040/W/22/3297700**

**Clematis Cottage, Shelton, Newark NG23 5JL**

- 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 & Mrs Neil & Christine Turner against the decision of Rushcliffe Borough Council.
  - The application Ref 21/03148/FUL, dated 14 December 2021, was refused by notice dated 8 April 2022.
  - The development proposed is demolition of existing dwelling and garage and erection of a replacement dwelling and garage (Self-Build) with associated landscaping and access works.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposal on the:
  - Character and appearance of the area; and
  - Transition to a low carbon future.

### Reasons

#### *Character and Appearance*

3. The appeal site is a free-standing plot within the countryside, which includes a cottage and detached garage. The site and the buildings it contains are readily visible from the highway which passes to the front. The cottage has been extensively altered, including changes to the roof. However, despite its understated appearance, the cottage is an attractive traditional feature which contributes positively to this rural area.
4. Due to the free-standing nature of the site, there is no immediate context for building design. That said, the appellants have undertaken a study of local architectural context, which identifies a number of features including gables and hipped roofs, small window openings at the first floor as well as one and two storey building heights. An analysis of barn layouts on farmsteads in the area has also been undertaken, as well as a summary of common building materials.

5. However, although the appeal proposal seeks to incorporate a number of these features, including front gables and reclaimed bricks, the proposal would be of a substantial scale compared to the existing dwelling. Although the proposal would appear as a two-storey building with associated single storey structures, the resultant dwelling would be of a width that would appear as cramped and overdominant within the constraints of the site. The length and scale of the side elevations would add significantly to the bulk of the main building. Single storey buildings to the front and rear would also add unacceptably to the extent of built development within the site and its projection into the countryside, even though they may be viewed as subservient to the 2-storey appearance of the main building.
6. The main building would also be set back a significant distance from the front of the site, adding to the impression of an obtrusive building intruding into the landscape rather than a development which relates acceptably to the highway. The proposed 4-bay garage would also appear as an unduly large feature projecting to the front of the main building, which would not sit comfortably within the site or reflect the understated nature of traditional farmsteads in this area and their relationship with the highway.
7. The design of the dwelling is also not reflective of the form of development in this area. In particular, the extensive area of glazing at ground floor level on the front elevation would appear as an incongruous feature, rather than replicating barn door openings as contended by the appellants. The proposal would include gables on the front elevation, but instead of appearing as a traditional feature of two connected barns they would appear as a contrived pastiche which would not compensate for the extent of glazing as well as the excessive bulk and width of the building. Rather than representing a modern farmstead design as referred to by the appellants, I consider that the Council's concerns about the suburban appearance of the proposal are well-founded.
8. The use of traditional materials and the retention and enhancement of mature tree and hedgerow boundary treatments would do little to mitigate for the unacceptable scale and design of the proposal. I have had regard to the assessment of local agricultural context and the National Character Area profile submitted by the appellants. But these do not lead me to a different conclusion in respect of the harm I have identified arising from the impact of the proposal within this agricultural landscape.
9. I therefore conclude that, due to its scale and design, the proposal would lead to significant harm to the character and appearance of the area. The proposal would therefore be contrary to policy 10 of the Core Strategy and policy 22 of the LPP2<sup>1</sup> which together seek to ensure that development in the countryside conserves or enhances the appearance and character of the landscape and local identity. The proposal would also be contrary to the National Planning Policy Framework (the Framework) in respect of achieving well-designed places and recognising the intrinsic character and beauty of the countryside.

#### *Low Carbon Future*

10. The Council contends that it has not been adequately demonstrated why the existing building needs to be demolished, and what the carbon effects of the replacement dwelling would be. However, although the Core Strategy and the

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<sup>1</sup> Rushcliffe Local Plan Part 2: Land and Planning Policies, October 2019.

Framework refer to the principles of meeting the challenge of climate change and the presumption in favour of sustainable development, there is no specific policy requirement to provide the details referred to by the Council.

11. Furthermore, structural evidence provided by the appellants refers to significant damp issues of the existing structure, and reference is also made to further structural interventions required to ensure that the cottage could be heated and cooled in a sustainable way. Given the evidence before me, the benefits of retaining and improving the existing structure would be limited, especially when assessed against the potential sustainable features that could be more readily incorporated in a new-built development and secured by condition.
12. I am mindful of the benefits arising from the reuse and conversion of existing buildings, including the retention of embodied energy in the original structure. However, given the identified issues of the existing building and its limited scale, as well as the potential environmentally sustainable features to be included within the proposal, I do not consider that the Council's concerns on this matter are sufficient to warrant the refusal of planning permission.
13. I therefore conclude that the proposal would include suitable measures to support the transition to a low carbon future. The proposal would therefore not conflict with the requirements of policy 1 of the Core Strategy or the policies of the Framework with regards to sustainable development and meeting the challenge of climate change.

### **Other Matters**

14. The appellants refer to the potential to erect buildings under the property's permitted development rights. However, it has not been demonstrated that such permitted development would be of a similar scale and bulk as the appeal proposal, and this therefore carries limited weight in favour of the appeal.
15. I am mindful of the appellants' intention to provide suitable accommodation for their family, although this is a private benefit and would not be sufficient to outweigh the significant harm I have identified in respect of character and appearance. Although the proposal may represent self-build housing, this benefit could be provided through a development of a more appropriate scale and design and this does not therefore carry significant weight in favour of the appeal.
16. I note the frustrations expressed by the appellant in relation to the advice from the Council. However, this is not a matter for this appeal which I have determined on its planning merits.

### **Conclusion**

17. Notwithstanding my conclusions in respect of the effect of the proposal on the transition to a low carbon future, the proposal would lead to significant harm to the character and appearance of this area of countryside. The proposal would therefore conflict with the development plan and the Framework when read as a whole in respect of achieving well-designed places and recognising the intrinsic character and beauty of the countryside. There are no material considerations of such weight that demonstrate that the appeal should be determined otherwise than in accordance with the development plan and the Framework.

18. For the reasons given above, I conclude that the appeal should be dismissed.

*David Cross*

INSPECTOR