



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

Appeal Ref: APP/P3040/W/22/3294802

Land to the North East of Main Street, Sutton Cum Granby NG13 9QA

- 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 B Roberts against the decision of Rushcliffe Borough Council.
 - The application Ref 21/02426/FUL, dated 18 December 2020, was refused by notice dated 20 October 2021.
 - The development proposed is erection of 2 dwelling houses with a paddock to the rear, creation of new vehicular access (Resubmission of 20/03272/FUL).
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr B Roberts against Rushcliffe Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents. I consider that subsequent description to accurately represent the proposal and I have therefore used it within this decision.
4. I have taken the address of the site from the planning application form, which reflects the details given on the decision notice and subsequent appeal documents. However, the submitted plans refer to the site being located on Sutton Lane. Nevertheless, I am satisfied that the appeal site can be identified from the submitted details, and that no party would be prejudiced by my considering this appeal on the basis of the evidence before me.
5. The Council's Decision refers to the Emerging Local Plan Part 2. However, I have been provided with policies from the Rushcliffe Local Plan Part 2: Land and Planning Policies (the LAPP) which was adopted in October 2019. I have therefore determined this appeal on the basis of the adopted development plan.

Main Issues

6. The main issues are:

- Whether the site would be a suitable location for housing, having regard to local and national planning policy;
- Whether the site would provide sustainable access to services and facilities; and
- The effect on the character and appearance of the area.

Reasons

Planning Policy

7. Policy 3 of the Core Strategy¹ sets out the Council's spatial strategy, which aims to direct the majority of development to the main built up area of Nottingham and a number of identified key settlements. The supporting text for policy 3 sets out that in other settlements development will meet local needs only, including through small scale infill development.
8. Notwithstanding policy 3 of the Core Strategy, paragraph 3.9 the LAPP allocates land for new housing in a number of villages. However, this does not include Sutton Cum Granby. Paragraph 3.10 of the LAPP states that beyond these housing allocations, development to meet 'local needs' at 'other villages' will be limited to small scale infill development, as well as reference to exception sites and allocations through neighbourhood plans.
9. The appellant contends that the proposal would represent an infill site. Paragraph 3.10 of the LAPP states that small scale infilling is considered to be the development of small scale gaps within the existing built fabric of the village or previously developed sites.
10. Despite its proximity to nearby development, the site is clearly part of the open countryside around this hamlet, rather than being a gap site within the settlement. Also, the appeal site is part of an agricultural field and does not therefore represent previously developed land.
11. There is built development to the south-west of the site consisting of dwellings and associated curtilages. However, these are apparent as an integral part of the built extent of the hamlet, whereas the appeal site is part of the countryside around the settlement.
12. There is also development across the road from the site, which extends further along the streetscape. This includes a residential development which was under construction at the time of my visit. However, this recent built development was apparent as an infill site within a relatively limited gap in the built up area of the hamlet. This recent development therefore represents a consolidation of the hamlet, in contrast to the appeal site which would be apparent as an intrusion into the countryside. The circumstances of the site opposite are therefore materially different to those of the appeal before me.
13. There is residential development further to the north east of the appeal site located on the same side of the road. However, this is distinctly separate from

¹ Rushcliffe Local Plan Part 1: Core Strategy, December 2014

the hamlet, and due to this separation distance it does not create a small scale gap within the terms of the LAPP.

14. For the reasons given above, I conclude that the proposal would not represent small scale infill development. The proposal would therefore be contrary to the spatial strategy set out in policy 3 of the Core Strategy, and would conflict with the requirements of policy 22 of the LAPP with regards to development in the countryside. The proposal would also be contrary to the National Planning Policy Framework (the Framework) in respect of the provision of sustainable development in rural areas.

Character and Appearance

15. The appeal site is part of a field on the edge of this small hamlet. The site is clearly part of the open countryside around the hamlet, and contributes to its landscape setting at one of the main entrances to the settlement.
16. The proposal would introduce two detached dwellings onto this open field, which would be viewed as an unacceptable encroachment of built development into the rural landscape. The vehicle access and manoeuvring area would also introduce a significant extent of hard surfacing to the front of the dwellings, which would increase the footprint of built development. The design and layout of the proposal would result in development of a suburban nature, and would be of an incongruous appearance compared to the understated rural character of the hamlet.
17. The hamlet is of a linear arrangement, and the proposal would continue this. However, policy 22 of the LAPP sets out that proposals should not create or extend ribbon development. I have had regard to the permitted development opposite the site in a gap of the built fabric of the hamlet, but due to this location it represents infill development rather than the ribbon development which would occur from the appeal proposal.
18. Although the proposal would include planting along the front and side boundaries, any new planting would take time to establish and the form and extent of the development would be apparent in views via the site access.
19. I conclude that due to its location, siting, layout 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 policies 1 and 22 of the LAPP which together seek to ensure that development makes a positive contribution to the public realm and sense of place, ensure that the proposal is sympathetic to the character and appearance of the surrounding area, and conserves or enhances the intrinsic character and beauty of the countryside. The proposal would also be contrary to the Framework with regard to achieving well-designed places and conserving and enhancing the natural environment.

Sustainable Access

20. Sutton Cum Granby contains minimal, if any, facilities. Residents of the appeal proposal would therefore be reliant on the private car to access services and facilities, rather than being in a location where these would be accessible on foot or by cycle.

21. The hamlet has a bus service, but the evidence suggests that this is an hourly service from approximately 9 to 6. Therefore, I do not consider that this bus service would provide a significant alternative to a reliance on the private car due to the relative convenience of these modes of transport.
22. My attention has been drawn to the recently approved residential development opposite the appeal site. However, this was considered to represent infill development, and therefore falls within a different policy context to the appeal proposal. Although the accessibility for residents of the development opposite would reflect that provided by the appeal site, this does not justify the provision of further development in a location with poor access to services by sustainable means and which is contrary to the policies of the development plan.
23. I therefore conclude that the proposal would not be in a location which would provide suitable access for residents to services and facilities by sustainable modes of transport. The proposal would therefore conflict with policy 1 of the Core Strategy and policy 39 of the LAPP in respect of the provision of sustainable development and providing homes to meet people's needs in locations that promote walking and cycling.

Other Matters

24. The appellant emphasises that the proposal would represent a windfall site which would contribute to the provision of housing. However, given the Council's healthy housing land supply this carries little weight in favour of the proposal. Reference is also made to a local need for properties of this kind in this area, although the appellant has not provided substantive evidence in support of this or whether it reflects the requirements of development plan policy. Although there may be a move towards working from home and away from city locations, this demand could be addressed in more appropriate locations than the appeal site. Considered individually and cumulatively, these considerations carry no more than limited weight in favour of the proposal.
25. The appeal site is located in the vicinity of the Grade II Listed Building of Highfield Farmhouse. For reasons including the separation distance from the Listed Building and intervening features, the Council has concluded that the proposal would not impact the setting of the Listed Building and would therefore preserve its setting. I see no reason to disagree.
26. I note the frustrations expressed by the appellant in relation to the level of communication from the Council leading up to this appeal. However, this is not a matter for this appeal which I have determined on its planning merits.

Conclusion

27. I have concluded that the proposal would be contrary to the policies of the development plan and the Framework. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR