



Appeal Decision

Site visit made on 22 June 2023

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2023.

Appeal Ref: APP/A3010/W/23/3316415

Copperfields, Land off Gainsborough Road, North Wheatley, Retford.

- 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 Lance & Sally White against the decision of Bassetlaw District Council.
- The application Ref 22/00811/FUL, dated 15 June 2022, was refused by notice dated 12 August 2022.
- The development proposed is erection of detached net zero carbon 3 bedroom single storey dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: -
 - whether the site is a suitable location for a dwelling having regard to the policies of the development plan and National Planning Policy Framework;
 - the effects of the proposed dwelling on the character and appearance of the area; and
 - the effects on highway safety.

Reasons

Location

3. The appeal site comprises an area of land with an existing access off Gainsborough Road and includes two buildings alongside each other at the northern end. It also includes a pond and some trees but otherwise is a large open undeveloped piece of land in a rural area. The settlement of North Wheatley lies further down the road to the south-west.
4. The Council indicates that its Core Strategy is out of step with the Framework in that it restricts development rather than promotes growth. However, the Neighbourhood Plan¹ is up-to-date and as it forms part of the development plan, its policies in relation to housing development are relevant.

¹ Sturton Ward Neighbourhood Plan Review Sturton Ward Planning Group 2021-2037 – Produced by the Sturton Ward Planning Group on behalf of the residents, businesses and organisations within the three parishes of North and South Wheatley, and Sturton le Steeple and North Leverton with Habbleshthorpe, together with the hamlets and settlements within the Ward. Formally adopted by Bassetlaw District Council following a referendum on 11 November 2021.

5. Policy 1 of the Neighbourhood Plan indicates that development proposals within the defined development boundaries will be supported but development outside the defined development boundaries will be carefully controlled in accordance with national and local planning policies. The National Planning Policy Framework promotes sustainable development in rural areas but states that housing should be located where it will enhance or maintain the vitality of rural communities. It further makes it clear that development of isolated homes in the countryside should be avoided unless it meets one of the circumstances listed. There is no evidence submitted to indicate that the proposal would meet any of these.
6. Whilst there are a few dwellings and buildings outside the village, including dwellings on the opposite side of the road, the appeal site is set apart from the village and sits in isolation relative to its surroundings. Scatterings of buildings outside a village are not uncommon in rural areas and I accept that these are likely to have historical origins as the village has grown. However, I consider that the appeal site is sufficiently separate from the village and due to its location, bears characteristics of being isolated from the village.
7. I note information supplied about public transport and other services that would allow future occupiers to utilise the services and facilities in the village. I also note the proposal for a footpath along a section of Gainsborough Road which I shall return to later.
8. Notwithstanding these matters, the site is physically separate from the village and I do not consider that it is a suitable location for a dwelling having regard to Neighbourhood Plan Policy 1 and the Framework.

Character & Appearance

9. The appeal site is fairly large and the proposed dwelling would be sited within substantial grounds. A long winding driveway would run from the road and loop around to the existing outbuildings. Where there is currently open land, the erection of the proposed dwelling would introduce a residential property into this area of open space. Whilst it would be single storey, its impact would be significant. This is mainly due to its location but also its utilitarian design with large areas of solar panelling which would not reflect its rural setting.
10. The appellant's have explained that the design of the dwelling has been carefully thought out to achieve an eco-friendly family home. The details of the environmental credentials of the proposed dwelling are set out and I have no doubt that the proposed dwelling would be capable of reaching the highest standards of energy efficiency and a minimal carbon footprint. I shall return to this matter later. However, this has not produced a dwelling of a particularly high standard of design in terms of its appearance in this location.
11. Furthermore, the character and appearance of this open area of land would be significantly altered by the introduction of a residential property and its associated paraphernalia into what is an otherwise open space. The Bassetlaw Landscape Character Assessment² has been submitted with the appeal site falling within the area identified as Mid Nottinghamshire Farmlands. This is

² Bassetlaw District Council Landscape Character Assessment – Bassetlaw. Nottinghamshire August 2009.

described as an undulating landscape with a distinctly rural, agricultural character.

12. Notwithstanding that scatterings of buildings can be found in rural areas, these very often have historical origins linked to agriculture or other rural enterprises whereas I have no information that would indicate that a single dwelling on this site would have such a justification. Moreover, amongst other things, MN Policy Zone 03³ seeks to conserve the rural character of the landscape by concentrating new development of appropriate design and scale around existing settlements including North Wheatley.
13. Although screening by way of landscaping could lessen the impact of a dwelling in this otherwise open landscape, such screening would not negate the presence of a dwelling in an area which is otherwise free from development. For the reasons set out above, I therefore consider that the proposed dwelling would have a harmful effect on the character and appearance of the area. This would conflict with Policies DM4 and DM9 of the Bassetlaw Local Development Framework (LDF)⁴ which require high quality design that respects local character and, in the countryside, new development will be expected to be sensitive to its landscape setting. It would also be inconsistent with Neighbourhood Plan Policy 5 which sets out similar design principles in relation to local character and Sturton Ward Design Code⁵ which sets out further guidance.

Highway Safety

14. Gainsborough Road, the A620 is a straight section of road as it passes the appeal site, it has a 50mph speed limit and an existing access currently serves the site. There is a hedge line along the road and a ditch alongside it. There are no footpaths. Whilst my visit only represents a single moment in time, I found little difficulty entering or leaving the site by car.
15. The appellant's state that a plan was being prepared indicating a footpath but the decision was issued before this could be submitted. The submitted details include a footpath and this would improve pedestrian accessibility to the village should it be constructed.
16. Furthermore, whilst the location of the appeal site would mean that future occupiers and their visitors accessed the proposed dwelling by car, the appellant has described the two bus services, one of which is principally for children travelling to and from school; a pre-booked and pre-paid service for advance bookings; a community car scheme aimed at residents who cannot use public transport and includes a fleet of vehicles adapted for wheelchairs; and a community minibus service for organised trips.
17. I am satisfied that on the basis of the information submitted and my own observations that there would be a safe and suitable access to the proposed dwelling. No conflict with LDF Policy DM4 would arise in that its aims for accessibility would not be compromised.

³ Bassetlaw Landscape Character Assessment Mid-Nottinghamshire Farmlands: MN PZ 03 – Mid Nottinghamshire Farmlands Policy Zone 03: Beckingham.

⁴ Bassetlaw District Council North Nottinghamshire – Bassetlaw District Local Development Framework Core Strategy & Development Management Policies DPD, Adopted December 2011.

⁵ Sturton Ward: North and South Wheatley, Sturton le Steeple and North Leverton with Habbleshorpe Design Code July 2020.

Other Matters

18. The Appellant states that the Council does not have an up to date development plan and therefore paragraph 11(d) of the Framework is engaged. However, the Council has an up-to date neighbourhood plan. Moreover, the Council state that it has a supply of housing land in excess of five years, the appellant has not disputed this. I do not therefore consider that paragraph 11(d) is engaged.
19. I have referred to the environmental credentials of the house above in terms of design and I note that the proposal includes extensive attention to the creation of an eco-friendly net carbon dwelling. This would be consistent with the objectives of the Framework and the resulting benefits carry modest weight.

Conclusion

20. Whilst I do not consider that the proposal would have a harmful effect on highway safety and the benefits of an eco-friendly net carbon dwelling carry modest weight, the harm that would result from the location of the proposed dwelling and its impact on the character and appearance of the area are substantial.
21. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given above the appeal is dismissed.

J D Clark

INSPECTOR