



Appeal Decision

Site visit made on 9 January 2024

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2024

Appeal Ref: APP/P3040/W/23/3322493

Land South West of Manor House, Main Road, Shelton, Nottinghamshire, NG23 5JQ

- 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 V Bramhall against the decision of Rushcliffe Borough Council.
 - The application Ref 22/01536/FUL, dated 4 August 2022, was refused by notice dated 22 February 2023.
 - The development proposed is conversion of existing stable block to form two-bedroom bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description in the banner heading is taken from the application form. However, the plans and supporting documents accompanying the application and appeal, indicate that the stable block would be demolished and replaced with a new bungalow and a detached double garage/carport building. The Council dealt with the proposal on this basis, and I shall do the same.
3. The National Planning Policy Framework (the Framework) was revised in December 2023. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments. Where reference is made to the Framework in this decision, the paragraph numbers are those that appear in the latest version.

Main Issues

4. The main issues are i) whether the site would be a suitable location for a new dwelling, having regard to the accessibility of services and facilities and local and national policies; ii) the effect of the development on the character and appearance of the area; and iii) protected species.

Reasons

Location of development

5. Policy 3 of the Rushcliffe Local Plan Part 1: Core Strategy (Adopted December 2014) (the CS) directs most new development to the main built-up area of Nottingham and several key settlements. To meet short-term housing targets, a number of sites in smaller villages were also allocated within the Rushcliffe Local Plan Part 2: Land and Planning Policies (Adopted October 2019) (the LPP2). The appeal site is not located in any of the listed settlements or

allocations. In other villages new housing is restricted solely to that necessary to meet local needs, and is limited to small scale infill development, exception site development and sites allocated in Neighbourhood Plans. Paragraph 3.10 of the LPP2 defines small scale infilling as the development of small gaps within the existing built fabric of the village or previously developed sites, whose development would not have a harmful impact on the pattern or character of the area.

6. The part of the site proposed to be re-developed already contains built development and would fall within the definition of previously developed land. The proposal would replace an existing building and infill a corner plot of land that is bound on two sides by existing residential properties and gardens. Subject to suitable design, the replacement of the existing building with one of similar scale, would not harmfully affect the pattern or character of the area. The proposal would therefore form part of the existing built fabric of the village and would fall within the definition of infilling that is set out in the LPP2. However, given that no local need has been demonstrated, the proposal would still conflict with Policy 3 of the CS in terms of location.
7. There is a public footpath, between Little Orchard and The Manor House, that provides direct pedestrian access between the site and Main Street within the 30mph limit of the village. As such, the new dwelling, which as I have already mentioned would be bound on two sides by residential premises, would not be in an isolated location. Policy 22 of the LPP2 and paragraph 84 of the Framework (formerly paragraph 80) would not therefore apply.
8. I am advised that Shelton has virtually no services or facilities and that public transport is infrequent. This has not been disputed by the appellant. When visiting the site, I observed that there was a small church and a bus shelter in the village. I have not been advised that there are any other facilities and no details have been provided of the bus services available. Accordingly, future occupiers of the new dwelling would be heavily reliant upon private motor vehicles to access shopping, health care, education, leisure and employment.
9. The appellant refers to similar applications being approved in the nearby village of Thoroton, which also has limited services and facilities. However, I have not been provided of any details of these cases and as such I cannot be certain they were comparable to the case before me.
10. As the proposal does not relate to a rural exception site or affordable housing to meet an identified local need, it would not accord with paragraph 82 of the Framework. There is also no evidence before me to suggest that the proposed single dwelling would support any services in the village, or in any other villages nearby in accordance with paragraph 83.
11. I therefore conclude that the site is not a suitable location for a new dwelling, having regard to the accessibility of services and facilities and local and national policies. The proposal would be contrary to Policies 3 and 14 of the CS, which set out a hierarchical approach to the location of new development and seek to reduce the need to travel, especially by private car, by locating new development on sites which already are, or can be made accessible by walking, cycling and public transport.

Character and appearance

12. There are some inconsistencies and irregularities in the submitted drawings. The adjacent dwelling 'Little Orchard' is set further back from the public footpath on the proposed site plan than it is on the existing site plan. The red line boundary includes all of the adjoining paddocks and manege but excludes means of access to the public highway. As no change of use appears to be proposed to the majority of the paddocks and manege areas, it is unclear why the whole of these areas have been included within the red line boundary.
13. Notwithstanding the above, the part of the site that is proposed to be re-developed currently comprises a horizontally timber clad, L shaped stable block, with an area of enclosed concrete hardstanding directly in front of it, and an attached hay store extension. The access track that runs along the northern boundary of the site comprises two ribbons of compressed soil and stones. A large area of compressed soil and gravel provides a parking and turning area adjacent to the hay store. There is also a small shed in the northeast corner of the site. The whole of the site, including the access track, paddocks and manege, are bound by high hedges. A public footpath runs alongside the northern boundary.
14. It is proposed to remove the whole of the existing building and to replace it with a new single storey dwelling of roughly the same size and shape and in roughly the same position on the site, albeit slightly further north. A new double bay, open fronted, car port building is also proposed to replace the small shed.
15. Taking account of the overhang at the front of the stables, the size and ridge height of the proposed dwelling would be only marginally greater than the building to be replaced. With the exception of the front porch and the use of vertical as opposed to horizontal timber cladding, which would not match the proposed car port or existing building, the otherwise simple design and external materials of the proposed dwelling would reflect the scale and appearance of the existing stables and hay store and would respect the rural character of the area.
16. The proposed timber clad garage/carport, despite being of agricultural design, and finished in horizontal weatherboarding similar to the existing stable building, would appear disproportionate in scale to the dwelling due to its greater depth and forward projection. This may be due to a further error or distortion of scale on the site plan drawings, given that the dimensions provided on the elevations suggest the carport would be only 400mm greater in depth than the dwelling. As there is already an access road leading up to the stables and a large gravel parking area adjacent to them, the slightly revised parking and turning area, which would be of similar size to the existing area but different in shape due to the new building being sited further north, would not result in any visual harm subject to a suitable surface material being agreed.
17. As the site is bound by domestic gardens on two sides, changing a small area of the manege and paddock to garden land, as indicated on Drawing No. 22.002.05, and which would not project any further into the countryside than the adjacent gardens, would not result in harm to the character and appearance of this edge of village location, subject to appropriate boundary treatment and landscaping.

18. Based upon the drawings currently before me, due to the scale and siting of the garage building shown, which would be visually prominent from the public footpath, the addition of domestic features such as the porch and the mixture of horizontal cladding on one building and vertical cladding on the other, the proposal would not be of high quality design and would not respect the rural character of the site and its surroundings. As such it would not accord with Policy 10 of the CS, Policy 1 of the LPP2 or paragraph 135 of the Framework, which seek to ensure new development is visually attractive as a result of good architecture, layout and appropriate and effective landscaping, has regard to the local context, and the scale, design, layout and materials are sympathetic to the character and appearance of the area.

Protected species

19. I am advised that a protected species report, dated 2019, submitted with a previous application confirmed that the site is of limited wildlife interest and that the building offers limited bat roosting potential. I have not been provided with a copy of that report, which I acknowledge is now several years old. However, it is unlikely that the site or the building have changed during that time. The building is a small, timber clad, low level building, with no large loft space or internal roof lining. The building is well maintained with no obvious gaps. Internally, I noted a birds nest and bird droppings. However, despite its rural location and the presence of a nearby river and mature trees, the nature of the building does not lend itself to bats or barn owls. Given the negligible suitability of the site for protected species, further surveys would not be necessary.
20. I therefore find no conflict with Policy 38 of the LPP2, which seeks to preserve and protect priority habitats and species.

Other Matters

21. The site adjoins part of the residential curtilage to The Manor House, which is a grade II listed building. I have also been provided with the listing descriptions for other Grade II listed buildings and features to the east of The Manor House. The significance of these is a combination of their age, architectural quality and historic interest. The rural setting within which these assets are experienced also forms part of their significance.
22. Due to the separation distance and intervening mature landscaping between the heritage assets and the proposed dwelling, there is very limited intervisibility between them. As the proposed dwelling would replace an existing building of similar scale, siting and appearance, there would be very little change to the setting. I am therefore satisfied that the proposal would not result in any harm to any nearby designated heritage assets, including to their significance or setting.

Conclusion

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

R Bartlett

INSPECTOR