

Appeal Decision

Site visit made on 19 March 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9TH April 2024

Appeal Ref: APP/B3030/D/23/3335969

Woodside Cottage, Newark Road, Hockerton, Nottinghamshire, NG25 0PW

- 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 Neville Ward (Junior) against the decision of Newark and Sherwood District Council.
 - The application Ref 23/01439/HOUSE, dated 14 August 2023, was refused by notice dated 17 October 2023.
 - The development proposed is erection of garage and store with utility room over.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposed development relates to an agricultural dwelling, now built. Planning permission was originally granted for an agricultural dwelling with garage in 2008¹. The garage has been converted into living accommodation.

Main Issues

3. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and whether the proposed development would comprise sustainable development, having regard to planning policy.

Reasons

Character and appearance

4. The appeal property is a detached two storey brick-built dwelling set within a garden. The dwelling is L-shaped and wraps around a large parking area. It is accessed from Newark Road via a long drive shared with a farmhouse and large agricultural buildings.
5. The appeal property is located within the open countryside. It is set well back from Newark Road and separated from the settlement of Hockerton by agricultural land. The surrounding area is green, open and spacious. It is characterised by open agricultural fields surrounded by hedgerows. In views from Newark Road, the appeal site can be seen in the the same context as

¹ Reference: 07/01478/FUL.

agricultural buildings behind the appeal property, the nearby farmhouse and the rooftops of the settlement of Hockerton.

6. The proposed development would comprise a detached building. It would have three double garage doors to the front and steps along the side of the building running up to a substantial upper floor at roof level, which would have three front dormers. Its length and width, combined with its tall, pitched roof, would, together with its design, result in the proposal appearing as a large detached building of domestic appearance.
7. The proposal would be situated in such a way that the parking area in front of the appeal dwelling would be partly enclosed by buildings in a U-shape. This would effectively create a large courtyard partly surrounded by buildings.
8. The proposed development would be located detached from but close to, the agricultural dwelling's converted garage. I find that this would exacerbate the visual impacts resulting from the large scale of the proposal as it would be considerably taller than the converted garage and its front elevation would appear at least as wide as that of the main dwelling. Consequently, the overall scale and proximity of the proposed development to the agricultural dwelling would result in it appearing as an unduly dominant and bulky addition.
9. The harm arising from the above would be exacerbated as a result of the proposal eroding the area's open and spacious qualities. From distant views, the proposal would, to some extent, appear as a house – notably due to the tall, pitched roof and dormers which would be clearly visible from Newark Road. This would appear in contrast to the backdrop of agricultural land and buildings and would result in the proposal drawing undue attention to itself as an additional domestic building within the open countryside.
10. Further to the above, the proposed external staircase would appear as an alien and incongruous feature, serving to draw additional undue attention to the proposal.
11. Taking all of the above into account, I find that the proposed development would harm the character and appearance of the area, contrary to the National Planning Policy Framework (NPPF); to Core Strategy² Core Policies 9 and 13; to DPD³ Policies DM5 and DM6; and to the Council's Householder Development Supplementary Planning Document (2014), which together amongst other things, seek to protect local character.

Sustainable development

12. DPD Policy DM8 requires extensions to existing rural workers dwellings to be commensurate with the needs and the ability of the operation they serve to fund them. The Policy's supporting text goes on to state that the scale of proposals should be the minimum necessary to sustain the operation it is intended to serve.
13. In this regard, the Council has provided evidence to demonstrate that the proposed development would, together with the existing agricultural workers

² Newark and Sherwood Amended Core Strategy (2019).

³ Newark and Sherwood Allocations and Development Management Development Plan Document (2013).

dwelling, amount to a development footprint well in excess of that advised at the time the agricultural dwelling was granted planning permission.

14. I also note that DMD Policy DM5 requires all householder development to respect local character and as set out above, the proposed development does not achieve this.

15. Taking the above into account, I find that the proposal would not comprise sustainable development and would be contrary to the NPPF; and to DPD Policies DM6 and DM8, which together amongst other things, seek to secure sustainable development.

Other Matters

16. The Council notes that, in support of the proposal, the appellant would like to achieve secure vehicle garaging to reduce the perceived risk of rural crime. However, it is not clear to me in the absence of any substantive evidence to the contrary, that the proposed development comprises the only way to secure vehicles or to reduce the perceived risk of rural crime.

17. Notwithstanding this, I have found that the proposal would result in significant harm and this is not something that is outweighed by a desire to provide secure vehicle garaging to reduce the perceived risk of crime.

Conclusion

18. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR