



Appeal Decision

Site visit made on 1 May 2024

by L N Hughes BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2024

Appeal Ref: APP/A3010/W/23/3331643

Land East of Pine Croft, Cottam Road, South Leverton, Retford DN22 0BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr and Mrs Paul and Elaine Newbert against the decision of Bassetlaw District Council.
 - The application Ref is 23/00937/PIP.
 - The development proposed is permission in principle for residential development of one dwelling.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of one and a maximum of one dwelling at Land East of Pine Croft, Cottam Road, South Leverton, Retford, DN22 0BU in accordance with the terms of the application Ref 23/00937/PIP, dated 26 July 2023.

Preliminary Matters

2. The proposal is for permission in principle. This type of consent route has 2 stages. The 'permission in principle' stage establishes whether a site is suitable in principle, whereby the scope of matters to be considered is limited to location, land use, and the amount of development permitted. All other matters are considered under a subsequent second 'technical details consent' stage when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages, and so I have determined the appeal accordingly.

Main Issue

3. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development.

Reasons

4. The site comprises part of a paddock, bounded by thick hedging. It is accessed through the mixed-use site of 'Pine Croft' to its west, which includes a dwelling, stables, workshops, and fields, and is itself accessed off Cottam Road from a driveway along its western boundary. It lies at the eastern end of the village of South Leverton, which has no settlement boundaries. The proposal is for permission in principle for a single dwelling. As the site boundary does not extend to the wider site's existing driveway, access would need to be gained directly off Cottam Road.

5. In terms of broad location, South Leverton has some services and facilities, including a public house, village hall, garage, and church, and also small-scale employment. It is a few miles away from Retford, a large town with a wide range of facilities, but the Council identifies that there is only an infrequent bus service. The Council therefore considers that the site is not in a sustainable location for new housing, and would result in daily private vehicle trips.
6. However, South Leverton is also served by a high school bus service, and an on demand service operated by Nottinghamshire County Council. There are also facilities available in North Leverton approximately 1 mile from the appeal site, including daily needs shopping, a primary school, and a doctor's surgery. These could be accessed on foot or by bike, along lit streets.
7. I therefore do not find the access to local facilities to be so limited that only private vehicles would be used for daily needs. As such, and because a single dwelling would also only generate limited daily trips, the location is sufficiently sustainable such that it is acceptable in principle for a new dwelling.
8. Turning to the specific site location, the Cottam Road footway is narrow, and its carriageway width does not allow for easy vehicle passing. This raises highway safety concerns, especially considering the road is only subject to the national speed limit. However, these access constraints do not appear to me to be so severe that there would be no possibility at all for this to be overcome as part of the future detailed site design. Indeed, the Highways Authority concluded that one new dwelling is unlikely to demonstrably affect highway safety in the locality, and recommended matters to be addressed through the future submission of technical details.
9. I therefore conclude that the location is acceptable in principle with relation to highways matters. I note the Council's concern that the dwelling may set a precedent in a location with unsuitable highway infrastructure, but each development must be assessed on its own merits.
10. Most properties along Cottam Road are single dwellings on varying size plots. Some are positioned against the carriageway, and some are set back behind front hedges and vegetation. A single dwelling would therefore be an appropriate amount of development for the site. This part of Cottam Road has a rural character, characterised by gaps and fields between properties. These play a strong role in creating a gradual transition from the village core into the countryside, where the built form towards the village's eastern extent becomes more sporadic. However, the road does include a pedestrian footpath and street lighting, suggesting the edge of the village rather than open countryside.
11. To some extent, the proposal would contribute to a ribbon style of development. However, beyond one field further east of the site is another property. A former stables converted into holiday accommodation also lies to the southeast, and while this has limited visibility from the road it does incorporate a formal driveway of domestic scale. A new dwelling on the appeal site would therefore not be beyond the furthest extent of development.
12. Furthermore, the site would be directly opposite 2 properties, of which one incorporates significant outbuildings for equestrian facilities. It would also be adjacent to Pine Croft which has a relatively large developed area. The site would be narrower than the frontages of these 3 properties, and would retain

the paddock to either side, albeit limited. As such, I find it would retain the overall characteristic of sporadic rural development.

13. I do have some concern that due to its siting both away from the built form of Pine Croft and adjacent to the roadside, the dwelling may be unduly prominent. However, detailed design matters would be assessed for the technical details consent, and I am mindful that the size and form of the dwelling is not fixed. Therefore on the evidence before me, this locational concern of how the site sits within the wider paddock, is not enough to lead me to conclude that it would have a negative impact on the open rural character.
14. The Council acknowledges that the housing delivery policies within the Bassetlaw District Core Strategy and Development Management Policies DPD (CS) (2011) are out-of-date, and has not relied upon these policies within its decision. The parties agreed that as relevant policies for the supply of housing are not deemed up to date, the National Planning Policy Framework ('the Framework') (2023) paragraph 11(d) falls to be considered. This indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
15. As outlined above I find the location, proposed land use, and the amount of development to be acceptable, such that that the proposed dwelling would not cause any adverse impacts which can be identified at this permission in principle stage. It would also result in the benefit of an additional dwelling to the housing supply, and economic and social benefits associated with its construction and occupation, albeit limited. The proposal therefore has the presumption in favour of sustainable development weighing in its favour as a material consideration.
16. Overall, the proposal would comply with the CS Policy DM4, which requires safe and suitable access to the site for all users, and for development to respect its wider surroundings in relation to historic development patterns and landscape character. Safe and suitable access is also reiterated by the Framework paragraph 114. It would also comply with the Framework aims to achieve sustainable development and to significantly boost the supply of homes, and paragraph 135 whereby developments should function well, be sympathetic to the landscape setting, and optimise the potential of the site to accommodate an appropriate amount of development.

Other Matters

17. New Well Farmhouse and Stables, and Two Centuries Barn, lie approximately 300m to the west of the site, being Grade II Listed Buildings. I therefore have a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of the listed buildings. Section 16 of the Framework also requires that great weight should be given to the conservation of designated heritage assets. There is no direct inter-visibility between the site and these designated heritage assets due to the curve in the road and intervening trees and properties. For the same reasons, the proposal would have no impact on Rose Cottage which is a non-designated heritage asset. I am therefore satisfied that there would be no impact on the heritage assets overall.

18. The Council identifies an adequate housing land supply for the District, and thus considers there is no need for a dwelling at this location. However, as I found above that the proposal would cause no harm, I do not need to consider this matter in more detail.

Conclusion

19. For the reasons given above, and having regard to all other matters raised, I conclude the appeal is allowed.

L N Hughes

INSPECTOR