



Appeal Decision

Site visit made on 4 November 2024

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2024

Appeal Ref: APP/A3010/W/24/3343173

Top Farm, Rampton Road, Laneham, Nottinghamshire DN22 0NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr D Stone against the decision of Bassetlaw District Council.
 - The application Ref is 23/00726/FUL.
 - The development proposed is 2 No. new dwellings at Top Farm.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council adopted the Bassetlaw Local Plan 2020-2038 in May 2024 (the Local Plan). This replaces policies in the Bassetlaw Core Strategy and Development Management Policies Development Plan Document 2011 against which the application the subject of this appeal was determined.
3. The Council has submitted copies of the new policies it considers relevant to its reasons for refusals and the appellant has had an opportunity to comment on them.
4. Policies ST1 and ST2 of the Local Plan set out the spatial strategy for the District. Policy S1 designates Laneham as a Small Rural Settlement. Policy ST2 allows the provision of 10 houses in Laneham over the plan period within the existing built form of the development subject to certain criteria. Although the Council has not referred me to any specific criteria, that most relevant to its reasons for refusal are criteria a) and e) which concern the effect on the character of the settlement and the design quality.
5. In principle therefore, subject to the relevant criteria, the provision of two houses would be acceptable.

Main Issues

6. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on Top Farm and its associated outbuildings as non-designated heritage assets.

Reasons

7. The appeal site sits between Top Farm and Apple Tree House and properties fronting onto Main Street. It currently forms part of the cultivated garden of Top Farm. To the south and west of the appeal site are residential properties. Those to the west are set back from the road with a variety of boundary treatment including walls and hedges. To the south of the appeal site, the built form is closer to the road but nevertheless in large plots. To the east are open gardens, where sheep were grazing at the time of my site visit, to the rear of properties fronting Main Street.
8. While not a protected space, the appeal site forms a large green space. Its character is that of a domestic garden, rather than rural fields, but it is nevertheless open. It only shares one boundary with green space to the east. On all other sides is built development, albeit the dwellings to the west are set back behind large gardens. Hence the character and appearance is of built form within open and spacious plots on the edge of a rural village to which by virtue of its size and use the appeal site contributes positively.
9. To the north there are a group of buildings formed from Top Farm, a former farmhouse and a range of former agricultural buildings including a two storey threshing barn dating from about 1800-1820. The buildings are red brick, with clay pantile roofs. They are identified as non-designated heritage assets (NDHA) separately as Top Farm and Top Farm Barns. The significance of the buildings is derived from their architectural and historic interest as a former farm complex demonstrating the agrarian origins of the building and the social history of the village. The agricultural nature of the outbuildings signifies the former presence of a working farm and confirms the history of the related main dwelling and vice versa.
10. The historical map provided by the appellant from 1885 shows the farmhouse and associated outbuildings pretty much as existing today albeit some buildings have been lost. The surrounding area is open and undeveloped as the current day, with the only new development to the south of the appeal site on Main Street and at Apple Tree House. The map shows the area to the south, incorporating the appeal site, as being part of the farmstead. Hence it has a functional link and allows an appreciation of the farmhouse in the streetscene giving an ability to understand its former use which is readily visually apparent. The appeal site therefore contributes positively to the significance of the buildings.
11. The relationship between the farmhouse and the outbuildings would not be affected. However, the proposal to subdivide the area to the front of the farmstead and provide two houses would cause harm due to the loss of open land and the change of use to residential diminishing the ability to appreciate the farmhouse and associated buildings in their original setting. Although there would be an area remaining between the houses and the farmhouse, this would be significantly smaller than existing, resulting in the close proximity of the proposed houses to the front elevation of the farmhouse. This coupled with the extent and massing of the proposed houses would lead to them visually competing with the NDHA to its detriment reducing the ability to understand the former use of the building in its own open setting. This would in turn diminish the significance of the outbuildings given their reliance on the farmhouse to help understand their agrarian nature.

12. I appreciate that there is an extant planning permission for side extensions to the farmhouse and to increase the height of it by about 1 metre¹. However, the impact on the NDHA would have been considered at that time, and from the information before me, the extensions would remain subservient to the main building and the alterations to the height of the building would retain the proportions and original design features of the building. Consequently the NDHA would still be read as a farmhouse with associated outbuildings even though they also have planning permission to be converted to residential use². These permissions do not therefore affect my consideration of this appeal to any significant degree.
13. The design of the two houses would be acceptable in this location, with their height and proposed materials helping to integrate them effectively into the streetscene. The two houses would extend in a linear fashion, presenting an end gable to Rampton Road. While this would not in itself be harmful, given the pattern of development at the farm, they would extend virtually the entire length of the appeal site. This, coupled with the large footprint of the two houses together, means that much of the existing garden would be developed, with relatively small garden areas which would harmfully erode the open spacious character of this part of the village.
14. I saw that, given the house at plot 1 would extend close to Rampton Road, it would be visible in the streetscene within views from the north and south of the road, although not to a significant amount from the public right of way that runs to the north of the farmstead. A small part of the hedge would be lost for the new access; however I saw that this is not a feature, in its current state, which contributes significantly to the character and appearance of the area and could in any case be bolstered through further planting.
15. Nevertheless, for the reasons above the proposal would be harmful to the character and appearance of the area and the significance of the Top Farm and its associated outbuildings as non-designated heritage assets. It would therefore conflict with policies ST2, ST33 and ST41 of the Local Plan. These require that development respects the local context, and its location size and scale and form does not cause significant harm to the existing built character in that part of the settlement. Furthermore, development should have regard to the significance of non-designated heritage assets and its relationship with its setting.

Planning Balance and Conclusion

16. Now that the council has an up to date development plan and can demonstrate a healthy five year supply of housing land then in my view paragraph 11dii of the Framework is not engaged.
17. Paragraph 209 of the Framework requires that a balanced judgement be made having regard to the scale of any harm or loss and the significance of the heritage asset. I have found that the proposal would lead to harm to the NDHA causing conflict with Policy ST41.
18. The proposal would lead to the provision of two houses in accordance with the spatial strategy. Even though the Council can demonstrate a five year supply of housing, the provision of the dwellings would boost the supply of housing in

¹ 22/00489/HSE

² 21/01641/FUL

accordance with the aims of the Framework. I therefore give this moderate weight. There would also be social and economic benefits generated through the construction of the dwellings and the contribution to the local economy from the future occupiers to which I also give modest weight. However, these would not, in my view, be sufficient to outweigh the harm to the non-designated heritage asset.

19. The proposal would conflict with heritage and design policies drawing it into conflict with the development plan as a whole. The matters I outline above would not be sufficient to outweigh that conflict.
20. For the reasons above the appeal should be dismissed.

Zoe Raygen

INSPECTOR