



Appeal Decision

Site visit made on 14 January 2025

by **Zoe Raygen DipURP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 FEBRUARY 2025

Appeal Ref: APP/P3040/W/24/3348340

Land east of the Gatehouse, Lodge Lane, Screveton, Nottinghamshire, NG13 8JJ

- 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 Karis Bradford against the decision of Rushcliffe Borough Council.
 - The application Ref is 23/02144/FUL.
 - The development proposed is erection of a single dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - Whether the appeal site is an appropriate location for a house having regard to accessibility and national and local policy.

Reasons

Character and appearance

3. The appeal site is located on Lodge Lane near to existing development. To the southwest is a group of buildings which are dwellings, and a large single storey flat roof building is sited immediately to the south of the appeal site. One of the buildings has a one and a half storey elevation directly onto Lodge Lane. To the north is Red Lodge a large building set in spacious grounds with a red brick single storey outbuilding sited with a rear elevation directly onto Lodge Lane. To the east is open countryside and the appeal site extends beyond the boundaries of the neighbouring development into the countryside.
4. The existing development is spacious with gaps between buildings so that views to the open countryside are retained giving a decidedly rural character and appearance to the area.
5. The appeal site forms a long strip of land adjacent to the road. Most has a hard surface upon which stands a large container for which a Certificate of Lawful Use has been granted¹. Although previously used for a number of purposes including allotments, currently the eastern end of the site is green field with mature trees and a hedge marks the boundary to the surrounding open countryside. Hence while the

¹ 24/00730/CLUEXD

container is a visual distraction its low height means it does not dominate, but nevertheless detracts from the character and appearance of the area, whereas the eastern end contributes positively being open and devoid of development.

6. The proposed house would sit in place of the container and would be two storeys, albeit the rooms at the first floor would be in the roof space. While it would have a larger footprint than the container, the drawings supplied by the appellant show it would be no higher than the adjacent Gatehouse and would therefore be viewed in the context of similar development. It would be set some distance from the Gatehouse creating a characteristic gap in the built form so that views through the open countryside would be retained. It would be sited close to the road reflecting the form of enclosure that already exists along Lodge Lane. Parking would be contained on the existing area of hardstanding.
7. The garden area though would be situated on the eastern part of the appeal site. Given that this would be a three bedroomed property, it is likely it would be occupied by a family and children would need somewhere to play as well as occupiers requiring a sitting out area. While I note the comments of the appellant in this respect, the use of the area could not reasonably be safeguarded as a separate allotment/kitchen garden accessed from Lodge Lane under the planning process. I understand that there is a restrictive covenant on its use, but this could be altered outside the planning process. Indeed without this area there would be very little outdoor space. Consequently, the garden area would likely become domesticated. This and the resultant paraphernalia would encroach into the open countryside and be particularly visible to the significant detriment of the character and appearance of the area.
8. For the reasons above, I conclude that as a whole the proposal would be harmful to the character and appearance of the area. It would therefore conflict with Policy 10 of the Rushcliffe Local Plan Part 1: Rushcliffe Core Strategy 2014 (the Core Strategy) and policies 1 and 22 of the Rushcliffe Local Plan Part 2: Land and Planning Policies 2019 (the Local Plan). Together these require that development should have regard to local context and conserve and enhance the appearance and character of the landscape.

Location

9. Policy 3 of the Core Strategy sets out the Council's spatial strategy which supports a policy of urban concentration with development directed to Nottingham and Key Settlements identified for growth. Paragraph 3.3.17 states that in other settlements development will meet local needs only. There is no suggestion that is the case here.
10. The Local Plan allocates greenfield land for housing at some settlements, but these do not include Screveton. Here, development to meet local needs will be limited to small scale infill development, exception sites and land allocated in Neighbourhood Plans. There is no suggestion that the appeal proposal would be an exception site and there is no neighbourhood plan allocation.
11. At one dwelling, the proposal would be small scale. The Local Plan defines small scale infilling as being 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.

12. The appeal site contains a large container. There is also an area of hardstanding in the area where the house and parking would be located. However, even if I were to consider that the appeal site is previously developed land, the proposal would not meet the definition of infilling. While the appeal site has development to the west and the south, it is open to the east and has a road to the north. Therefore there is no gap between properties to be infilled. Furthermore I have already found that the proposal would have a harmful impact on the character of the area. Consequently the proposal would not constitute small scale infilling.
13. I acknowledge that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. The proposed house would be near to other development and therefore is not physically isolated, in accordance with the Braintree Judgement . However, there is no dispute that the appeal site is outside the main settlement of Screveton and there is no compelling evidence to suggest the proposal would meet a local need or that the vitality of the local area is in decline. Policy 22 of the LPP identifies land outside of settlements as open countryside which will be conserved for, amongst other things, the sake of its intrinsic character and beauty and diversity of its landscapes. A small number of types of developments would be permitted subject to other criteria, none of which involve market housing as proposed here.
14. Furthermore, I saw that, as the appellant concludes, accessing many facilities would rely on the use of the car. Policy 14 of the CS states that the priority for new development is selecting sites already, or which can be made, accessible by walking, cycling and public transport. Where accessibility deficiencies do exist these will need to be fully addressed.
15. There are good road connections to the nearest large settlements of Newark and Bingham as well as the village East Bridgford, where most of the day to day services are located, which would take no more than 10-15 minutes by car. Nevertheless, the appeal site is poorly serviced by opportunities for pedestrians and cyclists to reach services and facilities even in Screveton. There is a lack of footways, and the roads are narrow and unlit, until the main road is reached, with no dedicated cycle lanes. While the roads may be used by pedestrians and cyclists that does not mean it is safe for them to do so.
16. There is a regular bus service between Newark and Bingham, but the nearest bus stop is some distance away albeit it has a small park and ride car park with it. There is also an “on demand” bus service which drops and picks up near to the appeal site. Therefore, while I acknowledge that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, in this instance there are so few opportunities that I consider it likely that residents would be reliant on the car. Therefore, I do not consider that the proposal would accord with the requirements of Policy 14 in this respect. I acknowledge, that the existing dwellings in this locality are also reliant on their car, but that does not justify the addition of a further large dwelling. Furthermore, the example the appellant refers to² was approved as it was sited adjacent to a settlement and was considered to be infilling. That is not the case here.
17. For the reasons above the appeal site is not an appropriate location for a house having regard to accessibility and national and local policy. It would therefore be in

² 21/02374/FUL

conflict with policies 3 and 14 of the Core Strategy and Policy 22 and paragraph 3.10 of the Local Plan.

18. The Council also refers to Policy 1 of the Core Strategy, but this is a general policy seeking development that accords with the principles of sustainable development.

Planning Balance and Conclusion

19. I have found that the proposal would be contrary to the spatial strategy and cause harm to the character and appearance of the area bringing it into conflict with the development plan as a whole.
20. The provision of one house would contribute to the housing land supply and bring social and economic benefits during its construction and from the occupiers spend in the local economy. There would be a benefit in the removal of the container and a reduction in commercial traffic, however this is not reliant on the erection of a house to achieve. Even if I were to consider the land as previously developed, which would attract significant weight, the matters taken together would not outweigh the identified conflict with the development plan and the appeal should be dismissed.

Zoe Raygen

INSPECTOR