



Appeal Decision

Site visit made on 7 July 2025

by **Les Greenwood MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 July 2025

Appeal Ref: APP/B3030/W/25/3360525

Greenaway, Rolleston, Nottinghamshire NG23 5SQ

- 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 Studio-G Associates against the decision of Newark & Sherwood District Council.
 - The application Ref is 24/00402/FUL.
 - The development proposed is the demolition of 2 existing bungalows and the design and construction of 5 properties for an affordable housing scheme for the local community.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The application form shows Studio-G Associates as the applicant. Although this was apparently an error, the appeal must be made under the name of the listed applicant, rather than by Newark and Sherwood District Council, as stated on the appeal form.
3. The Environment Agency recently published updates to its Flood Map for Planning, with revisions affecting the appeal site. The main parties have been given an extra chance to comment on the implications of these changes. The Council responded, but the appellant did not offer any comment.

Main Issues

4. Having regard to the revised flood risk information, the Council's reason for refusal of the application and local comments, I consider the main issues to be:
 - i) The effects of the proposal on public safety, with reference to flood risk;
 - ii) The effect on the operation and viability of the adjacent village hall; and
 - iii) The effect on the safety of public highway users.

Reasons

Flood risk

5. The appeal site is gently sloping land, with 2 bungalows near the bottom and mown grass further up, nearer to the adjacent village hall. The bungalows and hall are both accessed via a short cul-de-sac, Greenaway. The proposal is to demolish the existing bungalows and build 3 new ones in their place, plus 2 new houses on part of the grassed area.

6. The revised flood mapping shows the cul-de-sac within Flood Zone 3 (more than 1 in 100 year risk of flooding from rivers) and part of the area where the new dwellings would be sited within Flood Zone 2 (between 1 in 100 year and 1 in 1000 year risk). Paragraph 170 of the National Planning Policy Framework (the Framework) makes it clear that development should be directed away from areas at highest risk of flooding. To ensure that this aim is met, Framework paragraph 173 confirms that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding. Policy DM5 of the Allocations & Development Management Development Plan Document (ADM) and Core Policy 10 of the Amended Core Strategy (ACS) similarly require sequential testing for sites in Flood Zones 2 and 3, aiming to guide development away from areas at highest risk of flooding.
7. A Sequential Test is therefore required to justify development in this relatively high flood risk area. Although a Flood Risk Assessment (FRA) and a Sequential Test were submitted with the application, these have not been updated to take the newer flood risk information into account and no argument has been put forward to justify this situation. Those documents now appear to be out of date. I recognise that the 2 existing bungalows are already at some risk of flooding. Their replacement with 5 dwellings, however, would significantly increase the number of residents at risk and the measures recommended by the FRA are likely insufficient to deal with that increased risk. Furthermore, the proposal would also appear to increase the area within Flood Zone 2 that would be covered by buildings, reducing flood storage capacity and increasing off-site flood risk.
8. In the absence of an up-to-date FRA and sequential testing, I have to conclude that the proposal would cause undue flood risk, both to future occupiers and to others in the local area. The proposal therefore conflicts with the policies referenced above.

Village hall

9. The village hall sits next to the appeal site, with a retained area of grass in between. It has a small car park to the side and rear. Evidence has been submitted showing that the grassed area to the front, including a large part of the appeal site, is at times used for overflow parking. This use has been confirmed by the Council granting a Lawful Development Certificate, verifying that the overflow parking area has a lawful community use (Class F2¹) in association with the village hall. This land therefore has a long term usage in support of the village hall. The proposal would cause the loss of a significant proportion of the overflow parking area.
10. ACS Spatial Policy 8 says that the loss of existing community and leisure facilities through new development will not be permitted, particularly where this would reduce the community's ability to meet its day to day needs (except in particular circumstances which do not apply here). Framework paragraph 98c likewise promotes local community facilities, saying that decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community. I have no doubt that the village hall is an important and valued community facility. Its continuing viability will no doubt be crucial to its survival.

¹ Town and Country Planning (Use Classes) Order 1987 (as amended)

11. The Council's refusal notice cites a detrimental impact on the hall's parking provision, which at present includes about 11 spaces in its main car park. The Rolleston Village Hall Management Committee (VHMC) advises that the hall is reliant for its viability on hosting large events such as weddings, sometimes requiring up to 50 car parking spaces and resulting in the overflow parking area being fully used. The Council advises that the parking standards in the County Council's highways design guide indicate a minimum of 15 parking spaces for a hall of this size, but the evidence supports the view that many more spaces are sometimes required.
12. The appellant refers to an old planning permission providing a revised village hall parking layout that would include overflow parking on a paved play area to the rear. This is said to potentially provide an overall total 44 spaces, similar to the need suggested by the VHMC. I have no clear information, however, regarding the status or availability of that suggested/permitted overflow parking area.
13. I find that the continued use of the village hall is of such importance that a precautionary principle should be applied here. I accept that the presence of convenient overflow parking for larger events is likely to be vital to the village hall's continuing viability. I have insufficient evidence to show that, if the appeal development went ahead, there would be enough overflow parking available nearby to support the village hall's activities. I therefore conclude that the proposal is likely to unacceptably harm the operation and viability of the village hall, in conflict with the above policies.

Highway safety

14. If insufficient off-street overflow parking is provided at or near the village hall, this would increase on-street parking in the local vicinity. It would also result in more traffic movements using the junction of Greenaway with the main route through the village, Staythorpe Road, as cars may enter the Greenaway to find parking and then have to leave again. This part of Staythorpe Road is, however, subject to a 30mph speed limit with street lighting and footways and appears to be fairly lightly trafficked. There are no restrictions on on-street parking nearby and visibility at the junction looks adequate for safety purposes. It therefore appears that overflow parking for the village hall could be safely accommodated on-street, even if some of that parking might be fairly remote from the hall.
15. Like the County Highway Authority, I find no highway safety objection here. I conclude that the proposal would not prejudice the safety of public highway users. It accords in this respect with ACS Spatial Policy 7's requirement to provide safe access.

Other matters

16. The proposed new dwellings would all be affordable units. The Council's committee report advises that there is a District-wide need for affordable housing and that a 2020 local housing survey confirmed a need for more units in Rolleston. Although local objectors refer to vacant affordable housing in the village, I have seen no actual evidence of this. Even if correct, I find that the general need for affordable housing is a strong factor in favour of the proposal.

17. I note that some trees near to the appeal site are included in a Tree Preservation Order. The closest of these trees could be protected by appropriate measures if the development was to go ahead.
18. I have considered the other points raised by local objectors, but find nothing else that significantly affects the balance of the case.

Planning balance and conclusion

19. Weighing this up, I find the highway safety issue to be a neutral factor. On the positive side, the proposal would provide significant social benefits in the form of affordable housing. My concerns regarding flood risk and the ongoing viability of the village hall, however, are sufficiently compelling for me to conclude that the proposal conflicts with the development plan, taken as a whole. For the reasons set out above, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR