



Appeal Decision

Site visit made on 24 July 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 3 November 2025

Appeal Ref: APP/A3010/W/25/3363095

Manor Cottage, Wiseton Road, Clayworth, Retford, Nottinghamshire DN22 9AB

- 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 & Mrs Boon against the decision of Bassetlaw District Council.
 - The application Ref is 24/00833/FUL.
 - The development proposed is a single storey self-build dwelling including new access.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey self-build dwelling including new access at Manor Cottage, Wiseton Road, Retford, Nottinghamshire DN22 9AB in accordance with the terms of the application, Ref 24/00833/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matter

2. The application form describes the proposed development as self-build. The appellants were given the opportunity to provide additional information regarding potential mechanisms to demonstrate how the development would be secured as a self-build dwelling. This is relevant to the mandatory requirement for Biodiversity Net Gain (BNG), as the exemption from the standard BNG condition applies only if the development can be formally established as self-build. The appellants have provided a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) which I am satisfied is sufficient to secure the development as self-build. As such, the development would be exempt from the standard BNG condition.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the site and surrounding area, including the Clayworth Conservation Area (the CA), with particular regard to the location within the settlement.

Reasons

Location

4. Clayworth is defined in Policy ST1 of the Bassetlaw Local Plan 2020-2038, May 2024, (the LP) as a Small Rural Settlement with no defined development boundary. Part 2 of Policy ST2 of the LP directs residential development to either within the development boundary of a Small Rural Settlement, or where no defined boundary exists, within the existing built form of the settlement.

5. The appeal site is an area of grassland enclosed by mature, dense hedgerows, located toward the edge of the village. Clayworth is a largely linear settlement, following the line of Wiseton Road and Town Street. The centre of the settlement is mainly composed of brick-built dwellings positioned close to the roadside.
6. However, along Wiseton Road, between the Church of St Peter, near the centre of the village, and Clayworth Manor, at the settlement's edge, development becomes more sporadic. Larger areas of open space are found between and associated with widely dispersed buildings, many of which are set back from the road. These properties include Clayworth Manor, Manor Cottage and Rose Cottage either side of the appeal site, and The Old School House on the opposite side of the road.
7. Beyond the village, and to the rear of the site, the landscape is distinctly rural, lightly settled and primarily agricultural. The fields are predominantly medium to large in scale, used for arable farming, and bounded by closely managed hedgerows and ditches.
8. In this context, the appeal site relates more closely to the pattern of built development and the open spaces found within the settlement than the expansive character of the agricultural landscape beyond. It is an open space between houses, within the built form of the settlement, itself set within open countryside.
9. For these reasons, I conclude that the proposed development would be within the existing built form of the settlement and, therefore comply with the criteria in part 2 of Policy ST2 of the LP.

Conservation Area and character and appearance

10. The Council has not raised specific concerns about the effect of the proposed development on the character or appearance of the CA. Nevertheless, as the appeal site is within the CA, I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The National Planning Policy Framework (the Framework) also requires great weight should be given to the conservation of heritage assets including conservation areas.
11. There is no conservation area appraisal for the CA, and neither party has provided any specific evidence of its heritage significance. Therefore, I have assessed the heritage significance of the CA based on my site visit and the evidence before me.
12. Wiseton Road, along with much of the settlement, follows the alignment of a Roman road. The Church of St Peter, located at the centre of the village, was established in the 12th century, indicating the likely presence of a settlement from at least that time. Given the proximity of the development site to both the former Roman road and the church the site has high archaeological potential.
13. The village's character and appearance are largely derived from its linear development pattern and the predominance of 18th- and 19th-century brick-built domestic properties positioned close to the roadside. Toward to edges of the settlement, however, building density decreases giving way to a more dispersed pattern. In this context, the development site makes a positive, albeit limited, contribution to the character and appearance of the CA.

14. The proposal is for a single-storey dwelling designed in the style of an agricultural building. The scale, layout, form, composition and materials are appropriate to the site's context and would complement the character and appearance of the CA. Although the scheme would introduce a new building, the sense of open space and separation between existing buildings would largely remain.
15. The dwelling would be set back from the road, in a slightly elevated position and would retain the enclosed appearance of a distinct plot, reflecting the established pattern and rhythm of development along Wiseton Road. In this context, the scheme would preserve both the character and appearance of the CA.
16. The proposal includes access from Wiseton Road, requiring the removal of a short section of boundary hedgerow. However, this would not significantly undermine the sense of enclosure or definition of the plot. Most of the remaining roadside hedgerow would be closely maintained to ensure visibility splays can be achieved. Such maintenance could occur regardless of development and is therefore a neutral factor in my assessment. The development would be visible from neighbouring land and from the road, but views would be limited and contained by the boundary hedgerows, even if closely maintained.
17. In summary, I conclude that the proposed development would not harm the character and appearance of the site and surrounding area, and would preserve the character and appearance of the CA. Accordingly, it would comply with Policy ST1, the criteria described in Part 2 of Policy ST2 regarding location, and Policies ST33 and ST35 of the LP, which aim to ensure development is appropriate to its location, of high-quality design, and contributes positively to the landscape. Furthermore, the scheme accords with Policy ST40 of the LP, which seeks, to conserve and enhance the historic environment.

Other Matters

Setting of Listed Buildings

18. The development site has been described as being in the setting of several listed buildings including the grade I listed 'Church of St Peter'; grade II listed 'Boundary Wall at the Church of St Peter'; the grade II listed 'Old Rectory'; the grade II listed 'Rose Cottage'; and the grade II listed 'Manor House'. The heritage significance is embodied in the architectural and historic value of these buildings.
19. The Council has not raised specific concerns about the effect of the proposed development on the setting of the listed buildings. Nevertheless, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
20. Based on my site visit, and my assessment of the likely effects of the proposed development on the heritage significance of nearby listed buildings, due to the separation distance and the intervening mature vegetation between the appeal site and the listed buildings, there would be limited inter-visibility. I therefore find that the development would have a neutral impact on the setting of the listed buildings and would preserve their special architectural and historic interest.

Planning Obligations and Conditions

21. Paragraph 58 of the Framework and Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) require that planning obligations should only be sought, and weight attached to their provisions, where they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.
22. I am satisfied that the Planning Obligations set out in the Unilateral Undertaking to secure the development as a self-build dwelling and a monitoring contribution are necessary and fairly and reasonably related in scale and kind to the development in this particular case.
23. The Council has provided a list of suggested conditions, which I have considered against paragraph 57 of the Framework, and advice contained in the Planning Practice Guidance. Where appropriate, I have amended the wording of the suggested conditions for clarity and reasonableness.
24. To meet legislative requirements, a condition shall be imposed to address the period for commencement. For the reasons of certainty and clarity, I have imposed a condition that requires the development to be carried out in accordance with the submitted drawings. A condition is required to ensure that the external facing materials result in the development having a satisfactory appearance.
25. Given the high archaeological potential of the site, I have attached a condition requiring the submission and approval of a written scheme of archaeological investigation and a condition requiring compliance with the approved scheme. The condition relating to hours of construction operations is necessary to protect the private amenity of occupants of neighbouring properties.
26. I have not attached a condition removing permitted development rights, as suggested by the Council. The extent of the restrictions suggested by the Council are either already subject to restrictions due to the site being within a CA, not acts of development or reasonable or necessary in order to preserve the character and appearance of the CA.

Conclusion

27. The proposal accords with the development plan, when taken as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal is allowed.

C Mayes

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos:
 - Location Plan
 - TLC/24/150/06A – Proposed Site Plan
 - TLC/24/150/01 – Planning Proposal Stage
 - TLC/24/150/03 – Planning Proposal Stage Front & Rear Elevations
 - TLC/24/150/04 – Planning Proposal Stage Side Elevations
 - TLC/24/150/05 – Planning Proposal Stage Courtyard Elevations
- 3) No development above ground level shall take place until samples of all external facing materials, including sample panels of all new facing brickwork showing the proposed bricks, face-bond and pointing mortar, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved sample details and panels.
- 4) No development shall take place until:
 - (i) An archaeological field evaluation has been carried out in accordance with a specification and timetable that shall first have been submitted to and approved in writing by the local planning authority; and
 - (ii) Safeguarding measures to ensure the preservation in situ of important archaeological remains and/or further archaeological investigation and recording identified in the archaeological field evaluation have been undertaken in accordance with a specification and timetable that shall first have been submitted to and approved in writing by the local planning authority.
- 5) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 4.
- 6) Demolition or construction works shall not take place other than between 08:00 and 18:00 on Mondays to Fridays, and between 08:00 and 13:00 on Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.

Ends