



Appeal Decision

Site visit made on 25 November 2025

by F P Tinsley MA (Hons) MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 January 2026

Appeal Ref: APP/A3010/W/25/3373192

Mill House, Retford Road, Rampton, Nottinghamshire, DN22 0JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs G Buttrick against the decision of Bassetlaw District Council.
 - The application reference is Ref: 25/00643/HSE
 - The development proposed is 'Proposed timber single storey granny annexe for ancillary use to the main dwelling'
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs has been made by Mr & Mrs G Buttrick against Bassetlaw District Council. This is the subject of a separate decision.

Preliminary Matters

3. The first reason for refusal detailed on the Council's decision notice states that the proposed development cannot be considered a householder application for planning permission for works or extensions to a dwelling. However, the Council has nevertheless determined the application, and I shall determine the appeal on the same basis, that it is a valid planning application and, subsequently, a valid planning appeal.

Main Issues

4. The main issues in this case are:
 - Whether the proposal would constitute a separate unit of residential accommodation.
 - The appropriateness of the proposed development having regard to the spatial strategy for the area.
 - The effect of the proposed development on the character and appearance of the area having regard to the design.
 - The effect on living conditions of future occupiers of the proposed development having regard to the size of the proposed accommodation and availability of outdoor amenity space.
 - The effect of the proposed development on highways safety.

Reasons

Whether a separate unit of residential accommodation

5. The Council has concluded that the proposed development constitutes a new, independent unit of residential accommodation. This is despite the application forms submitted to the Council clearly stating that planning permission was sought for the erection of an ancillary granny annexe, which is what has been applied for. The intended occupiers of the unit are the couple currently residing in the primary dwelling on the plot, who wish to vacate the main house but remain on the farmstead.
6. The appellant asserts that the unit which has the design and characteristics of a lodge intended for holiday type occupation would only provide sleeping and shower facilities, with all other domestic activities taking place in the existing house, which would be occupied by the immediate relatives of the occupiers of the proposed development. The intention is to accommodate the parents who currently occupy the existing house, allowing them to live in close proximity to their children and the family business on the farm. However, given the facilities proposed, including a bathroom, small living area and kitchenette, independent living would be possible in the proposed unit without requiring access to the existing house. This is notwithstanding the fact that the unit falls below the threshold for a three-person, two-bedroom, single-storey dwelling as defined in the Nationally Described Space Standards (NDSS), which is 61 sq.m.
7. The proposed development would be located approximately 10 metres from the existing dwelling in a detached position. Significantly, its location means that it could operate as a separate dwelling, sharing the main access and driveway. The circumstances before me do not present a scenario in which the existing dwelling and the proposed development could not practically operate independently. There is scope for separate car parking areas, and the potential also exists for the plot to be subdivided in the future, with the proposed development allocated an independent garden area to the immediate south of the proposed building while maintaining a garden area to the front of the existing house.
8. For these reasons, there would be limited functional and physical connection between the proposed accommodation and the existing dwelling. I therefore conclude that the proposal cannot reasonably be considered part and parcel of the existing dwellinghouse but rather would constitute a separate unit of residential accommodation. It is therefore appropriate to assess the scheme as a new independent dwelling.
9. The appellant has suggested that a condition could be attached to any grant of permission, securing the use of the proposed development in association with the existing house. However, while the inclusion of such a condition is possible, given that I have established that the proposal would be a separate dwelling, this would not be reasonable. There would also be a credible risk of the unit being used, or later converted, as a standalone residential dwelling in the open countryside once the principle of development is established. I have not been provided with a planning obligation that would secure its use in association with the main house which would enable this mechanism to be used to secure ancillary use.

Spatial Strategy

10. While the appeal site forms part of a cluster of buildings associated with agricultural use, it is located outside any defined settlement boundary and is therefore considered to be within open countryside.
11. Policy ST1 of the Bassetlaw Local Plan 2020–2038 (the Local Plan) sets out a spatial strategy that focuses new development within defined settlement boundaries. It states that development will only be supported in the countryside where it is consistent with other policies in the development plan or national policy. Local Plan Policy ST2 further states that proposals for residential development outside a settlement's development boundary or, where no boundary exists, outside the existing built form of a settlement, will only be permitted in specific circumstances and subject to defined criteria. The proposed development does not meet these circumstances or criteria and is therefore contrary to this policy.
12. For the above reasons, I conclude that the proposed development does not accord with the spatial strategy for the area and conflicts with Local Plan Policies ST1 and ST2, which, among other objectives, seek to prevent the creation of new dwellings in the countryside and direct new development to within the boundaries of existing settlements as the most sustainable locations for residential growth.

Character and Appearance

13. The appeal site forms part of an agricultural holding that includes an existing dwelling and a collection of sheds and other structures associated with agricultural use. The existing dwelling is a two-storey building positioned towards the front of the farmstead. The appeal site is located to the side of the existing dwelling in a prominent position. There is significant boundary screening, with the surrounding area comprising predominantly open agricultural fields. Other notable development in the vicinity includes a primary school situated a short distance away on the opposite side of the road. There is no prevailing pattern of development other than the predominantly rural character.
14. The proposed development would comprise a prefabricated, single-storey lodge-type structure, predominantly constructed from timber and designed to appear subservient to the existing dwelling. Its design is practical and typical of this type of development, but it lacks features that respond to the local context. While there is a mix of structures to the rear of the existing dwelling, and the proposed unit would be set back from the primary building line established by the front façade of the house, its principal impact would be the introduction of a substantial new structure within the setting of the existing dwelling. This impact would be accentuated by the use of materials that differ markedly from those of the existing house, creating a degree of visual discord. Although the effect would be partially mitigated by the level of screening around the site, the development would remain visible from certain viewpoints.
15. I have been provided with details of three other householder planning permissions in the area for similar two-bedroom units intended as ancillary accommodation for elderly parents. These are Ref: 24/00981/HSE, Ref: 22/00776/HSE and Ref: 21/00854/HSE. In terms of design, these were located in significantly less prominent locations relative to the primary dwellings on the sites. Unlike the proposal before me, in two of these examples there was limited potential for independent access to the proposed units due to their very different positioning

within the garden of the primary dwelling. In the third case, which was in a village context, the development was located within, rather than on the edge of, a cluster of buildings, which is a very different context. A fourth example provided under Appeal Ref: APP/Q5300/D/16/3147827 was in a suburban context and again offered limited potential for independent access due to its positioning within the rear garden of the primary dwelling. Appeal Ref: APP/B3438/A/12/2188171 is also identified, however limited details are provided regarding this case dating from 2013 to enable me to make direct comparisons. While these examples provide context for the proposal before me, each proposal must be considered on their individual merits having regard to the circumstances of the case and there are clear differences to the proposal before me including two being located in a different Council area.

16. For these reasons, I conclude that the proposed development would have a harmful effect on the character and appearance of the area having regard to the design, in conflict with Local Plan Policy ST33, which, among other requirements, seeks to ensure that development is of high-quality design, informed by local context, constraints, and distinctiveness. It is also contrary to paragraph 135 of the National Planning Policy Framework (the Framework), which states that development should add to the overall quality of the area and be visually attractive as a result of good architecture.

Living conditions of future occupiers

17. As I have established that the proposed development should be assessed as a new independent dwelling, its floorspace falls below the NDSS minimum standard for a three-person, two-bedroom, single-storey dwelling, which is 61 sq.m. This would result in an inadequate standard of accommodation for future occupiers due to the restricted size of the unit. The appellant contends that, because the development falls below the NDSS threshold, this in itself justifies the proposal being ancillary to the existing dwelling. However, while the development may be below the threshold, this is not, in itself, a justification for it not being considered an independent dwelling, particularly as the facilities within the building would enable it to operate independently of the existing house as discussed above.
18. The proposal does not include any dedicated amenity space, which is cited as a further reason why it should not be considered an independent unit. Given the surrounding area and the large space to the south of the site, a dedicated private amenity area could be provided. Nevertheless the absence of such provision, in the context of the development being assessed as an independent dwelling, would negatively impact the living conditions of occupiers, particularly given the restricted internal floorspace.
19. For these reasons, I conclude that the proposal would have a harmful effect on living conditions of future occupiers, contrary to Policy 46 of the Local Plan, which requires that development be designed and constructed to avoid and minimise impacts on the amenity of existing and future users. It also conflicts with the aims of Section 12 of the Framework, which seeks to ensure that development creates well-designed, high-quality living environments.

Highway safety

20. The Highway Authority has raised a number of concerns regarding the proposal, which they assessed on the basis of it being an independent dwelling. This approach is consistent with my finding regarding the proposed development.
21. These concerns relate to the access width and design, visibility constraints, pedestrian visibility, parking and turning provision, and the overall sustainability of the location. Fundamentally, these issues arise from the intensification of use of the access as a result of introducing a new dwelling.
22. While I consider that there is ample space on site to provide off-street parking and turning facilities, I have not been presented with evidence to challenge the Highway Authority's conclusions on the other matters raised. The appellant has not addressed highway concerns in the context of the proposed development being an independent dwelling.
23. In this context, I find no reason to dispute the Highway Authority's conclusions. Without evidence to the contrary, I have particular concerns regarding visibility constraints at the site entrance from the main road. The close proximity of the primary school also raises additional concerns in this regard.
24. For these reasons, I conclude that the proposed development would have a harmful effect on highway safety, contrary to Policy ST53 of the Local Plan and Section 9 of the National Planning Policy Framework, which, among other objectives, seek to promote highway safety.

Other Considerations

25. While the absence of objections to the proposal from third parties, including the Parish Council, is noted, this does not remove the requirement to assess the proposal against the relevant local and national policy, having regard to other material considerations, which I have done.
26. The appellant has identified a number of public benefits resulting from the proposed development and refers to the Local Plan, which recognises issues facing the district associated with an ageing population. They state that by providing accessible accommodation on site, the proposal will reduce the pressure and need for the Council to provide appropriate housing for an older couple elsewhere. They also argue that this proposal aligns with the objective of helping residents age well in place with available care. Furthermore, they state that retaining care within the family will reduce reliance on public funding to deliver this elsewhere. There is limited evidence presented to support these assertions, and all assume a requirement for the appellants to move from their existing home which has not been justified. I am not persuaded that the proposed development is specialist housing for older people and disabled persons as is supported by Local Plan Policies ST28 and ST29. These considerations carry very moderate weight.
27. A number of personal benefits to the appellants are also identified. The development would provide accommodation for the appellants' who would then enable their close relatives to reside in the existing dwelling and assist with their care needs. Other personal benefits include addressing their wish not to be forced to sell their farm and family home, the need for their son and his family to attend daily to assist with the farm business and provide care. The appellants wish to

remain within the grounds of their own home as part of the family unit, and they highlight the potential impact on mental health should they need to move. Remaining physically within their current home is identified as not possible, and extending to provide downstairs accommodation would cost significantly more compared to purchasing a prefabricated unit for which permission is sought in the current appeal. Enabling their son and his family to move into the existing dwelling providing them with a home is also linked as a benefit. The facilities available in the proposed development, which include a bathroom and small kitchenette, are identified as necessary to address basic human rights and capabilities. This it is stated does not mean the unit is independent, and these facilities are required to comply with building regulations.

28. I have sympathy with the appellants' personal circumstances as detailed in the appeal submissions. The personal circumstances in that respect do carry weight in the determination of the appeal. However, the weight I attach is moderate.
29. On the evidence before me, dismissing this appeal could lead to the intended future occupiers of the proposed development being unable to find a suitable home for retirement accommodation, which would engage the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010. This includes having due regard to the need to eliminate unlawful discrimination, advance equality of opportunity, and foster good relations between persons who share a relevant protected characteristic (which includes age) and persons who do not.
30. Notwithstanding this, there is no evidence to demonstrate that suitable accommodation could not be provided elsewhere, where it would not result in the harms I have identified above. In having due regard to the PSED, the adverse effects of dismissing this appeal on persons with protected characteristics would, on the basis of the evidence before me, be proportionate in this instance when balanced against the well-established and legitimate planning purposes of national and local planning policies.

Conclusion

31. I have established that the proposal would constitute a separate unit of residential accommodation and that it does not accord with the spatial strategy for the area. It would have a harmful impact on the character and appearance of the locality, particularly in relation to its design. I attach very substantial weight to these considerations.
32. I have not identified harm to the living conditions of future occupiers of the proposed development, having regard to the size of the accommodation and the availability of outdoor amenity space. These considerations carry limited weight.
33. Other considerations in support of the proposal include the provision of an additional unit of accommodation for elderly persons, removing the need for alternative accommodation elsewhere, which is identified as a public benefit. There are also personal benefits, namely providing accommodation for the appellants and thereby freeing up a dwelling for family members. These public and personal benefits carry, respectively, very moderate and moderate weight. I have sympathy with the appellants' personal circumstances as detailed in the appeal submissions; however, the weight I attach to this is also moderate.

34. For the reasons set out above, I conclude that the proposal would conflict with the development plan as a whole, and there are no material considerations that outweigh that conflict. Accordingly, the appeal is dismissed.

F P Tinsley

INSPECTOR