

---

## Appeal Decision

Hearing held on 21 June 2017

Site visit carried out on 21 June 2017

**by Zoe Raygen Dip URP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 6 July 2017**

---

**Appeal Ref: APP/P3040/W/16/3162739**

**Land to the north of Cliffhill Lane, Aslockton, Nottinghamshire.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr John Breedon against the decision of Rushcliffe Borough Council.
  - The application Ref 16/00733/OUT, dated 21 March 2016, was refused by notice dated 30 September 2016
  - The development proposed is outline application for the erection of up to 50 dwellings including the creation of a new access, together with the provision of new open space and landscaping, sustainable drainage and associated infrastructure.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The application was made in outline form with all matters reserved for future consideration apart from access. I have considered the appeal on that basis. Two drawings entitled "masterplan in context" and "development framework" have been submitted. It was agreed at the hearing that these should be considered as illustrative only. However, both parties consider the development framework should also inform any application for reserved matters approval and a suggested condition in this respect is included in the Statement of Common Ground (SOCG). I have determined the appeal on this basis.
  3. At the hearing a completed S106 agreement was submitted. The agreement, which is a material consideration, includes obligations relating to the provision of open space including a children's play area together with their maintenance and management, and financial contributions towards secondary education (£138,080), libraries (£2,298), sports hall (£16,600), swimming pool (£20,243) and sports pitches (£24,150). There is also an obligation relating to the provision of 30% of the total number of dwellings to be constructed on the appeal site as affordable housing, with a tenure mix of 39% affordable rent, 42% intermediate and 19% social rented, along with a requirement for the approval of an Affordable Housing Scheme. This would include details of the size, type, specification, tenure and location of the affordable houses throughout the development. Prior to the hearing the Council had submitted a Planning Obligations and Community Infrastructure Levy (CIL) Compliance Statement. I
-

have had regard to the Section 106 Agreement in my consideration of the appeal.

### **Background and Main Issues**

4. Policy 3 of the Rushcliffe Local Plan Part 1 Core Strategy 2014 (CS) sets out the spatial strategy for the sustainable development of Rushcliffe, which supports a policy of urban concentration with regeneration for the whole of Greater Nottingham to 2028. There is no dispute between the parties that Aslockton is an "other village" which, in accordance with Policy 3, should accommodate new dwellings for local housing needs only. Paragraph 3.3.17 of the CS explains that this will be delivered through small scale infill sites, on exception sites, or where small scale allocations are appropriate to provide further for local needs. Such sites are to be identified through the emerging Local Plan Part 2. There is no disagreement between the parties that the proposal would not be infill development, nor would it serve local needs and in this respect would not meet the requirements of Policy 3.
5. I am also mindful that there is no dispute between the parties that the Council is unable to demonstrate a five year housing land supply. As a result, paragraph 49 of the National Planning Policy Framework (the Framework) states that relevant policies for the supply of housing should not be considered up to date.
6. Both parties agree that Policy 3 of the Rushcliffe Local Plan Part 1 Core Strategy 2014 (CS) is a housing supply policy. Consequently, in accordance with the Supreme Court judgement,<sup>1</sup> the so-called tilted balance referred to in paragraph 14 of the Framework is engaged. In such circumstances the presumption in favour of sustainable development means that permission should be granted unless consequent adverse impacts of the scheme significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole or specific policies in the Framework indicate that development should be restricted.
7. Within that context, I consider that the main issues are:
  - whether the site represents an appropriate location for housing with particular regard to accessibility;
  - the effect of the proposal on the character and appearance of the area, and
  - whether the appeal site represents an appropriate location for residential development, with particular reference to flood risk.

---

<sup>1</sup>*Suffolk Coastal District Council v Hopkins Homes Ltd and SSCLG; Richborough Estates Partnership LLP and SSCLG v Cheshire East Borough Council* [2017] UKSC 37

---

## Reasons

### *Accessible location*

8. There have been previous appeal decisions relating to the erection of housing on two sites on Abbey Lane in Aslockton. An appeal relating to the refusal of planning permission for 75 dwellings was allowed in December 2015 when the Inspector found that Aslockton was an accessible location (APP/P3040/A/14/2227522 Abbey Lane south). The second was in respect of the erection of 65 dwellings and was dismissed in December 2016 (APP/ P3040/W/16/3143126 Abbey Lane north) when the Inspector disagreed with the findings of the previous decision and considered Aslockton was not an accessible location. I have therefore carefully considered the evidence put to me regarding the services and facilities available in Aslockton, reinforced by my own observations during my site visit.
9. The Council in its Rushcliffe Local Plan Part 2: Land and Planning Policies Further Options consultation document 2017 (LP Part 2) considers that Aslockton is not able to accommodate further dwellings based on existing services and infrastructure provision, given that planning permission has been granted on the Abbey Lane south site for 75 dwellings which are currently under construction.
10. Within the village of Aslockton there is a small shop with a post office, café, hairdressers, public house, church, village hall and a primary school. However, I saw that the shop is very small, with limited stock. I was also advised by the residents that the future of the café is not certain. In addition, there are no health facilities and only very limited employment opportunities in nearby Whatton in the Vale. It is likely, therefore, that future residents would need to travel further afield to Bingham or Nottingham in order to meet their day to day needs in terms of services and facilities.
11. There is a bus stop outside the site and the appellant would provide a footpath from the main access into the site to the bus stop. I was advised that the village is currently served by two bus services, which seem to complement each other, one providing a commuter service, and the other a day time service. Neither though operates after 7pm or on a Sunday. The local residents point out that facilities for young people in the village are very limited and the lack of adequate public transport links in the evening restricts choice even further. Furthermore, I am advised that one of the services is due to cease on the 23 July. While the County Council are investigating alternatives none has been forthcoming so far. As a result, in my opinion, the bus service is very limited and relatively infrequent.
12. Aslockton is one of only four settlements in Rushcliffe with access to a train station. The service provides links to Bingham, Grantham and Nottingham. However, outside of commuter hours the service is infrequent, operating about once every two hours with the last train from Nottingham leaving at 20.51.
13. The appellant also suggested that residents may wish to walk to Bingham, where a wider range of facilities are available, which is about four miles away. However, I saw that the obvious route would be partly along narrow unlit country lanes and partly alongside the busy A52. Although the route has a footway, the distance involved and the specific conditions I have identified means it is unlikely to provide an attractive or realistic alternative for those with

- restricted mobility or those accompanied by children particularly in winter months or inclement weather.
14. As a result of the relatively limited access to public transport for all sectors of the community, I share the Inspectors view on the Abbey Lane north appeal that future residents are likely to be largely reliant on the car.
  15. The appellant refers to the Greater Nottingham Accessible Settlements Study 2010(GNASS) and the Sustainable Locations for Growth Study 2010 (SLGS), both of which provided evidence for the spatial strategy for the CS. Within the GNASS, Aslockton was ranked in 39<sup>th</sup> place within the 103 settlements outside of the Nottingham Principle Urban Area (PUA). Within Rushcliffe, taking out the West Bridgford wards within the PUA and the six large villages, Aslockton was ranked as third most accessible, with only Gotham and Tollerton ranked higher. However, the study has limitations. For example, it measures accessibility only between 7am-9am during the day. I have already found that whilst Aslockton has a commuter bus and train service, it is a relatively infrequent service within the day. This would be further reduced with the removal of one of the bus services. Also outside the scope of the study is the quality of the service. So for example the presence of a shop would score within the study, but no account would be taken of the range of goods sold within the shop, which I have found to be limited in the case of Aslockton.
  16. The SLGS considers Aslockton along with neighbouring Whatton in the Vale, which I heard and observed has very limited facilities itself, with residents mostly using those sited within Aslockton. The study identifies that there is potential for a medium to low level of growth here compared to other settlements in the Greater Nottingham sub-region. The report identifies a number of constraints to growth, including avoiding coalescence of the two settlements and the need for growth to be proportionate to the existing size of the settlements and their historic characters.
  17. The Council alleges that the proposal before me now, together with the approved Abbey Lane south scheme, would increase the size of Aslockton by 30%. The appellant though considers, given the close relationship between Aslockton and Whatton-in-the-Vale, that the increase should be seen in the context of the two villages. As a result, there would only be a 6% increase rising to some 16% if the Abbey Lane south scheme is taken into account.
  18. I saw and heard though, that even though the two villages have a very close physical relationship, residents consider themselves to live in two very separate and distinct settlements. Irrespective of whether I consider the villages as separate or as one, the addition of 50 dwellings would still not constitute small scale infill development serving local needs.
  19. The Rushcliffe Local Plan Part 1 Core Strategy 2014 (CS) and the studies informing it, identify a strategy which relates to the relatively sustainable locations of the settlements across the area, so that the larger settlements, with more facilities, are considered able to accommodate higher numbers of new housing. The limited range of facilities available in Aslockton, together with an infrequent train and bus service, leads me to conclude that it would not be a sustainable location to accommodate the number of houses proposed.
  20. I acknowledge that my colleague on the Abbey Lane south appeal reached a different conclusion. However, I am not aware of the evidence before her at that

time. Furthermore, the withdrawal of one of the bus services is a change to the circumstances since the time of that decision.

21. Although not determinative, my view on the sustainability of Aslockton in terms of its location is reinforced by the information submitted by the Parish Council in respect of the facilities and services available in the five villages that are potentially being considered by the Council for some allocations. All have access to health care facilities and a convenience store. Some also have access to library facilities. I acknowledge that Aslockton has a train station which has not been listed in the facilities available in the other villages. Nonetheless, in my view, the other villages under consideration have a wider range of facilities and services than those readily available at Aslockton.
22. For the reasons above therefore, I conclude that the site does not represent an appropriate location for housing with particular regard to accessibility. The development proposed would therefore be contrary to Policy 3 of the CS and paragraph 7 of the Framework.

#### *Character and appearance*

23. Aslockton is a small village with a pre-1900 historic core. The village has mainly expanded to the south and west through the addition of housing estates. To the north and north east, development has been more limited to mainly ribbon development along Cliffhill Lane and Mill Lane. An exception is at Meadow Close accessed directly from Cliffhill Lane which is a small estate extending back from Cliffhill Lane by about 4-5 houses with internal roads.
24. Aslockton is mainly surrounded by open countryside and this is particularly noticeable on the approach roads of Cliffhill Lane, Mill Lane and to an extent on the north side of Abbey Lane. Approaching the village along Cliffhill Road, houses on the northern side of the road are set back and most have a front hedge with well stocked gardens. Opposite is open countryside bounded by a hedge to the road. As a result although views to the open countryside are limited to field entrances and limited gaps in the built development, its existence is still apparent due to a lack of development. Consequently, the area around the appeal site has a strong rural character and appearance.
25. This character is experienced until about just west of the appeal site, when the more developed part of the village is reached. The appeal site is located on the northern side of Cliffhill Lane and forms a large open field bounded by a high hedge. Although the site has development on three sides, this is limited to the immediate site frontage only. The site is not designated because of its landscape character and views into the field are limited from the road by the hedge. Nonetheless, its open undeveloped nature contributes positively to the rural character and appearance of this approach road. A public footpath runs just to the north of the appeal site.
26. My findings are generally in accordance with the characteristics of the National Character Area designation 48: Trent and Belvoir Vales and the local designation SN06 Aslockton Village Farmlands within the Greater Nottinghamshire landscape Character Assessment 2009. These include reference to gently undulating and low lying landform predominantly in arable, agricultural use. Field boundaries are mostly hedges and there is some woodland cover. The area includes mainly dispersed small rural settlements. The landscape condition is described as

'moderate' and the character strength is 'strong', with the overall landscape strategy being to 'conserve and enhance'.

27. Within the SOCG the main parties agree that the proposal would not result in unacceptable landscape or visual effects based on the contents of the appellants Landscape and Visual Appraisal 2016 (LVA). The development framework plan provides a restricted area for housing development to allow for footpath links, public open space and community woodland around the edges of the development, to link in with the existing footpath and planting on nearby sites. All hedges on the site would be maintained apart from where the site access would be required.
28. While the houses along the frontage of the site could be set back in line with the adjacent ribbon development, and the impacts of the houses behind could be effectively mitigated in views from the wider landscape through the inclusion of woodland planting which effectively links to the existing orchard to the west and the parkland landscape to the north east, the visual effects on the settlement pattern when viewed from Cliffhill Lane would be more difficult to avoid.
29. The LVA states that on the approach to the village road users will already have passed residential properties and the proposed development would not therefore be introducing any new elements into the visual context. I would agree that the presence of houses across the site frontage may not be a surprise. Furthermore, I accept the appellant's view that that episodic growth has added parcels of development to the historic framework of main thoroughfares. However, with the exception of Meadow Close, this has occurred only on the south side of the village.
30. The zone of proposed residential development would extend a large distance into the rural landscape, far in excess of that at Meadow Close. Furthermore, I consider it unlikely, given the size of the site available and the number of houses proposed that a high proportion would be single storey only, as is the case at Meadow Close. Even though the site is lower than the road, the presence of a large number of houses to the rear of those along the frontage would still be particularly intrusive in views from Cliffhill Lane especially given the need to remove part of the existing hedge to facilitate the site access. The extent of the houses to the rear of the frontage properties would substantially encroach into the rural area reducing the openness introducing an extent of development which is not seen elsewhere on the northern side of the village. As a result, the rural character of the approach into and out of Aslockton would be materially harmed through the introduction of development in depth and the consequent significant erosion of the strong ribbon pattern of development on this side of the village.
31. Currently, users of the nearby public footpath emerge into a considerable expanse of open countryside. This view would change. The LVA suggests that there would be major/moderate adverse impact for footpath users during the construction phase, moderate-minor adverse impact following completion and that this would reduce to minor adverse impact once the landscaping scheme has matured. From my observations on site I concur with this view. The footpath would still be within the open countryside and is routed away from the appeal site. Furthermore, while the landscaping would take some time to mature, there would be a significant area of open space and woodland planting

between the footpath and the proposed housing. Consequently, while there would be some harm caused it would be limited.

32. My attention was also drawn to views of the Belvoir Valley and Castle from the footpath which in the opinion of the Parish Council would be lost by the houses. I agree that such views are attractive. However, there is no substantiated evidence before me to suggest that they are of sufficient importance to be protected through Policy 10 of the CS which, amongst other things, requires that development is assessed in respect of its impact on important views and vistas. Furthermore, I saw that similar views are available from Cliffhill Lane and therefore would not be lost entirely.
33. The appeal site is not located within the Aslockton Conservation Area (CA). From the evidence in front of me the CA designation appears to cover the central core of Aslockton. Consequently its heritage significance mainly relates to the historic nature of the buildings, many of which predate 1900, and their immediate environs. I am satisfied that the appeal site is located a sufficient distance from the boundary of the CA to ensure that it does not have a materially harmful impact on that historic significance.
34. For the reasons above, I conclude that the proposal would be harmful to the character and appearance of the area. It would therefore be in conflict with Policy 10 of the CS, Policies GP2 d, EN19a, HOU2 a, b, c and d of the Rushcliffe Borough Non Statutory Replacement Local Plan 2006 and paragraphs 7 and 17 of the Framework. Together, these require, amongst other things that development must have regard to the local context, be sympathetic to the character and appearance of the surrounding area, should not detrimentally affect the character or pattern of surrounding areas and should protect and enhance the natural and built environment and recognise the intrinsic character and beauty of the countryside. I recognise that this conclusion is at variance with the agreed position as set out in the SOCG, particularly with regard to visual impacts. However, the issue was fully ventilated during the Hearing, with the parties explaining their positions to me and answering my questions on the matter.

#### *Flood risk*

35. Both parties refer to part of the site being within Flood Zone 2 as determined by the Environment Agency (EA). Paragraph 101 of the Framework requires decision makers to steer new development to areas at the lowest probability of flooding by applying a Sequential Test to those developments on sites in areas at risk of flooding and not already allocated within the development plan. Planning Practice Guidance (the PPG) indicates that the aim is to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible.
36. At paragraph 6.3 of the SOCG it is agreed between the main parties that the sequential test has been passed. However, at the hearing both the Council and the Parish Council raised the issue of a site at Whatton-in-the Vale, where a planning application has been submitted and is currently undergoing assessment by the Council (17/00969/OUT). The site is within Flood Zone 1. Therefore both the Council and the Parish Council consider that as there is a site available in the

- Borough which is located within an area of lower flood risk than the appeal site, then the sequential test is not passed.
37. The appellant explained that when agreement was reached with the Council that the sequential test had been passed, this was done on the basis of the consideration of eight alternative sites across the district which are located in flood zone 1 and therefore at lower risk of flooding than the appeal site. Seven were discounted due to wider sustainability objectives. The remaining site at Rempstone Road, East Leake was the subject of disagreement between the parties and the Council which also suggested a further site at Sutton Bonnington.
  38. However, it was agreed when the planning application the subject of the appeal was determined, that notwithstanding the availability or otherwise of these two sites in flood zone 1, even if all of the identified sequentially preferable sites are developed in the next five years along with the appeal site, the current shortfall in five-year housing land supply would still not be met by a significant number. On this basis the sequential test was deemed to have been passed.
  39. Since the Council's consideration of the sequential test, a planning application for housing at Rempstone Road, East Leake has been refused and therefore is not currently available. Furthermore, without prejudice to its assessment of the application, the Council suggested that the site at Whatton-in-the Vale would potentially not comply with Policy 3. As a result, I consider it would be premature to suggest that the site is available for development and therefore capable of being considered within the sequential test.
  40. That leaves only the site at Sutton Bonnington which may be considered sequentially preferable to the appeal site as it is in Flood Zone 1. However, I was supplied with no further information on this site and whether it could be delivered within five years. Furthermore, as previously agreed between the Council and the appellant, even if it was available and capable of delivery, based on the evidence in front of me, it would not be sufficient to address the five year housing supply short fall. On this basis I am satisfied that the sequential test has been passed.
  41. The Environment Agency (EA) has not objected to the proposal based on the findings of the appellant's Flood Risk Assessment (FRA). Although I have been supplied with a number of photographs from local residents demonstrating localised flooding within Meadow Close, I have been supplied with no substantive evidence to question the findings of the FRA. In this respect therefore subject to the condition recommended by the EA, I am satisfied that the proposal would not result in an unacceptable increase in risk of localised flooding or increase the risk to life or property from future flooding.
  42. For the reasons above I conclude that the appeal site represents an appropriate location for residential development with particular reference to flood risk. Therefore there is no conflict with paragraph 100 of the Framework which seeks to avoid inappropriate development in areas at risk of flooding, but where development is necessary making it safe without increasing flood risk elsewhere.

### **Other matters**

43. The Parish Council raised concerns regarding highway safety, particularly with regard to the speed of traffic travelling along Cliffhill Lane and congestion in and around the shop, public house café and hairdressers.



44. Photographs have been supplied showing instances of high levels of parking outside of the local services on Main Street. The Parish Council considers that the proposed houses would result in an increase in residents in cars both accessing the services and driving through the village, and would add to the numbers of parked cars and the difficulty of travelling through the village. I note residents' concerns in this respect. However, the appellant's Highway Statement 2016 (HS) states that there would be just over 30 two way traffic movements at the site access during peak hours, once distributed to the surrounding highway network, the development would result in less than 30 two way trips at other off site junctions. Such a level of car movements would not be significant over and above that already occurring. Furthermore, not all car movements would result in cars being parked on Main Street. In this respect I note there has been no objection from the Highway Authority.
45. Cliffhill Lane has a speed limit of 30mph. The Parish Council refers to the results of a traffic survey undertaken in November 2016 by the County Council, which demonstrates that along Cliffhill Lane the average 85<sup>th</sup> percentile speed was 44mph. This is significantly in excess of the 33mph found within the appellants speed survey within the HS undertaken in 2014. Following discussion at the hearing the appellant agreed that a condition could be imposed requiring a scheme for an interactive speed sign, to be agreed by the Council, to seek to address the speed of cars along Cliffhill Lane. Given the findings of the more recent speed survey I find such a condition would be reasonable and necessary.
46. The Parish Council also refers to the adequacy of the Aslockton sewage works which is indicated in the Strategic Housing Land Availability Assessment to be approaching its limits in its hydraulic capacity. I note though that Severn Trent Water has no objection to the proposal. In the absence of any substantiated evidence to support the concerns raised, I find no harm in this regard.
47. To the south west of the appeal site is Cranmer's Mound, a Scheduled Ancient Monument. Although the precise nature of its original function is unknown it is accepted to be either an historic viewing platform or a motte. The LVA includes a viewpoint from the public footpath which runs alongside Cranmer's Mound towards the appeal site which demonstrates that views towards the site would be largely mitigated by intervening vegetation and buildings. As a result I am satisfied that the proposal would not be materially harmful to the heritage significance of the Scheduled Ancient Monument.
48. There are three listed buildings sited within the Aslockton CA. The Council's Conservation and Design Officer concludes that the proposed development would have a neutral impact on their setting or heritage significance. From my observations on site I saw nothing which would lead me to disagree with that view.
49. The appellant has also referred me to appeal decision APP/P3040/W/16/3158562 regarding the erection of six dwellings in Screveton which is designated as an "other village" within the CS. The Inspector considered that the adverse impacts identified in relation to the lack of accessibility and harm to the countryside did not significantly and demonstrably outweigh the social and economic benefits of the proposal taking into account the significant lack of five year housing land supply. However, the appeal was for only six dwellings as opposed to the 50 proposed in the appeal before me now. An assessment of the benefits and

impacts are not therefore directly comparable. In any case I have determined the appeal based on its own merits.

### **Planning Balance and Conclusion**

50. There would be economic benefits of the scheme both while the houses were being constructed and resulting from future residents using the limited local facilities contributing to the local economy. In this respect the scheme would meet the Government's identification, in the White Paper (Fixing our Broken Housing Market Department for Communities and Local Government 2017), of a need for local planning authorities to identify opportunities for villages to thrive, especially where this would support local services. However, given that the economic benefits related to construction would be temporary and that I have found that it is likely that residents would be largely reliant on the car to access services outwith the village, it is likely that many of the economic benefits would be received outside of Aslockton.
51. There would be provision of open space, children's play space, community woodland, improved surface water management and biodiversity enhancement. Nonetheless, even with these benefits I have found that the proposal would be harmful to the character and built form of the settlement, fundamentally altering the rural character and appearance of Cliffhill Lane and the northern part of the village through its large scale encroachment into the open countryside, which would be contrary to the environmental role of planning and local policy.
52. It is proposed that 30% of the houses would be affordable, as required by the S106 agreement to serve the district as a whole. However, the Parish Council reported that although there was a Rural Housing Needs Survey undertaken for Aslockton in 2003 it was flawed. It considered that the 22 units to be delivered as part of the Abbey Lane south site would be more than sufficient to meet the needs of the local community. Nevertheless, the S106 agreement allows for flexibility, so that if no interest for the site is shown by a registered provider for affordable housing then a commuted sum would be required to be paid to the Council to be used for affordable housing elsewhere. Given that there is a pressing need for affordable housing across the district as a whole, then this would be a benefit of the scheme.
53. The discussion on housing land supply occupied much time at the Hearing. For the purpose of this appeal, I shall adopt the position of the appellant, who considers the supply to be in the region of some 2.5 years and argued that limited, if any, efforts have been made by the Council to address the undersupply. That should not be interpreted as any indication that I necessarily agree with that position. I simply adopt it as a worst case scenario in order to carry out the planning balance. On this basis the relevant policies for the supply of housing land cannot be considered up-to-date. In these circumstances, and in relation to decision taking, paragraph 14 of the Framework advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specified policies in the Framework indicate that development should be restricted.
54. Given the scenario adopted, I therefore give limited weight to Policy 3 of the CS, and thus, the provision of 50 houses would contribute towards helping address the identified significant undersupply of housing. However, I have found that Aslockton would not be an accessible location to accommodate the proposed

number of houses and that there would be a significant harm in terms of impact on the character and appearance of the area. As a result the proposal would not accord with the social and environmental roles of planning and I give this considerable weight in my decision.

55. I acknowledge that the appellant considers that the addition of 50 houses, bearing in mind the housing requirement of 13,150 represents 0.4-1% of that total. He therefore considers that such a provision would not be at a level to be at such fundamental odds with Policy 3 so as to cause severe harm to outweigh the benefits. However, only 1980 of those 13,150 were envisaged in the "other villages". While this figure may rise as a result of LP Part 2, it would still be significantly less than those to be accommodated in more sustainable locations.
56. All in all, I consider that the totality of the harm that would be a consequence of the significant adverse impacts I have identified would significantly and demonstrably outweigh the modest benefits referred to above when assessed against the policies in the Framework when taken as a whole. Therefore, the proposal does not constitute sustainable development for which the Framework carries a presumption in favour. For this reason, and having regard to all other matters raised I conclude that the appeal should be dismissed.

*Zoe Raygen*

INSPECTOR

Richborough Estates

## **APPEARANCES**

### FOR THE APPELLANT:

Ben Holmes MA BA (Hons) MRTPI	Director, Oxalis Planning Limited
Phil Rech BA, B Phil, CMLI	Director FPCR
Morag Thomson LLB, Solicitor and LARTPI	Partner Eversheds Sutherland
John Breedon	Appellant

### FOR THE LOCAL PLANNING AUTHORITY:

Richard Mapletoft	Planning Policy Manager, Rushcliffe Borough Council
Jeff Hall	Senior Area Planning Officer, Rushcliffe Borough Council
James Bate	Conservation & Design, Rushcliffe Borough Council

### INTERESTED PARTIES

Mansfield Barker	Chairman, Aslockton Parish Council
Kath Auckland	Local Resident
Councillor Maureen Stockwood	Ward Councillor
Christopher Smith	Local Resident

### DOCUMENTS SUBMITTED AT THE HEARING

- 1 – Rushcliffe Local Plan Part 2: Land and Planning Policies Further Options 2017 – submitted by the Council
- 2 – Local Plan Part 1: Rushcliffe Core Strategy, Appendix D: Housing Trajectory - submitted by the Council
- 3 – Train times, East Midlands Trains, 21<sup>st</sup> may – 9<sup>th</sup> December 2017 – submitted by the appellant
- 4 – Map of flood zones and demonstrating the appeal site and the site of planning application 17/00969/OUT – submitted by the Council
- 5 – E-mail exchange between Ben Holmes and Jeff Hall regarding sequential test dated 2 August 2016 – submitted by the appellant
- 6 – Completed S106 agreement dated 21 June 2017
- 7 – Proposed condition in respect of a scheme for archaeological mitigation – submitted by the Council