



Appeal Decision

Site visit made on 4 September 2017

by **Zoe Raygen Dip URP MRTPI**

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

Decision date: 28 September 2017

Appeal Ref: **APP/A3010/W/17/3171728**

Land to the North of Ranskill

- 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 SP Scholey and the Executors to WA against the decision of Bassetlaw District Council.
 - The application Ref 16/01166/OUT, dated 23 August 2016, was refused by notice dated 5 December 2016.
 - The development proposed is outline planning application (all matters other than access into the site reserved) for residential development at land to the north of Ranskill.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application was made in outline form with all matters reserved for future consideration except for access. I shall determine the appeal on that basis. A masterplan has been submitted showing a layout providing about 130 dwellings. While I shall treat this as indicative only the appellants confirm that the proposal is for up to 130 dwellings within their statement. I have therefore treated this as being indicative of the appellant's intentions and have assessed the proposals on that basis.
3. A Unilateral Undertaking (UU) has been submitted by the appellants. The UU, which is a material consideration, includes financial contributions relating to the improvement of play facilities (£60,000), primary education (£309,285), libraries (£5,975), and obligations relating to the implementation of a Sustainable Urban Drainage System and the implementation and monitoring of a Travel Plan. There is also an obligation relating to the provision of 25% of the total number of dwellings to be constructed on the appeal site as affordable housing, along with a requirement for the approval of an Affordable Housing Scheme. I have had regard to the UU in my consideration of the appeal.

Background and Main Issues

4. I consider that the main issues are:
 - whether the development would be consistent with local and national policies relating to its countryside location;

- the effect of the proposal on the character and appearance of the area

Reasons

Countryside location

5. Policy CS1 of the Bassetlaw District Local Development Framework Core Strategy and Development Management Policies Development Plan Document 2011 (Core Strategy) sets out the spatial strategy for the sustainable development of Bassetlaw, which supports a policy of settlement hierarchy to ensure that the scale of new development is appropriate in relation to the size, function and regeneration opportunities of each tier.
6. There is no dispute between the parties that Ranskill is a Rural Service Centre which, in accordance with Policy CS1 should accommodate new dwellings within the defined Development Boundaries. Policy CS8 of the Core Strategy states that development in the Development Boundaries of Rural Service Centres should be of a scale appropriate to the current size and role of that settlement and limited to that which will sustain local employment, community services and facilities. There is no disagreement between the parties that the appeal site lies beyond, but adjacent to the defined Development Boundary for Ranskill and in this respect would not meet the requirements of Policy CS1 or CS8.
7. 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.
8. Consequently, 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. This is also reflected in Policy CS1 which states that additional permissions may be granted where the Council are satisfied that the proposal will be of a benefit in addressing the Council's five year housing land supply. This part of the Policy therefore attracts weight, but needs to be considered in the context of the Framework as a whole.
9. Paragraph 55 of the Framework seeks to promote sustainable development in rural areas by the location of housing where it will enhance or maintain the vitality of rural communities and avoid isolated dwellings in the open countryside.
10. The appeal site is located adjacent to a row of houses on Arundel Drive. As a result it would be viewed within the context of built development and would not therefore be physically isolated.
11. The Council considers that Ranskill is not able to accommodate further dwellings based on existing services and infrastructure provision, particularly given that planning permission has been granted for a number of other

- developments in the village of about 79 houses (16/01323/OUT, 15/00116/OUT, 15/00732/OUT and 16/00081/OUT).
12. Within the village of Ranskill I saw a small shop, fish and chip shop, public house, church and a primary school which would be within walking distance of the appeal site. However, my attention has not been drawn to any health facilities, village hall or significant employment opportunities within the village. It seems to me, therefore, that the local facilities are limited and there would be an essential need for residents to travel further afield on a regular basis for healthcare, shopping/leisure, and employment opportunities.
 13. The settlements of Blyth, Harworth and Bawtry which would provide a wider range of services are located about 4-6 km away, well beyond a convenient walking distance. They would though be within a reasonable cycling distance. However, the most direct routes would involve minor rural roads at national speed limit, with little or no lighting or cycle lane infrastructure. As a result cycling would be unlikely to be an attractive form of transport particularly in the winter or inclement weather.
 14. There is a bus stop near to the site and the appellant would provide a footpath from the main access into the site to link to the existing footpath providing access to the bus stop. From the evidence in the appellant's Transport Assessment 2016 (TA) the bus stop is served by a good school service. However, information regarding the main service is limited. While it states the service to Doncaster and Retford operates every hour Monday to Saturday, I have no information as to the time of the first or last bus. I cannot be sure therefore that the service would provide a convenient commuter service, or would operate in the evenings for occupiers to access leisure facilities. Furthermore, the service does not operate on a Sunday. A further service, only operates three days a week on a more infrequent basis. A shopper service to Doncaster operates twice on a Tuesday. As a result, on the basis of the information before me I cannot be sure that the services would offer a realistic convenient alternative to the use of the private car.
 15. A service operates from a bus stop on Blyth Road but would be about 825 m away from the site. This would be significantly above the advice in the document *Planning for Public Transport in Developments*, Chartered Institution of Highways & Transportation, 1999 which recommends that the maximum walking distance to a bus stop should not exceed 400m and preferably be no more than 300m. Accordingly, I do not find the limited public transport would reduce dependency on the private car at the appeal proposal, particularly given the large scale of development proposed.
 16. As a result of the restricted services available within the village, together with the relatively limited access to public transport for all sectors of the community, I consider that future residents are likely to be largely reliant on the car. This is reflected in the village's designation as a Rural Service Centre suitable only for limited rural growth. Policy CS8 of the Core Strategy suggests that 599 houses should be accommodated within Rural Service Centres over the plan period (2010-2028). In this respect part A (iii) of Policy DM4 of the Core Strategy requires that major development proposals are of a scale appropriate to the existing settlement and surrounding area and in line with the levels of proposed growth for that settlement as set out in policies CS1-CS9.

17. Policy CS8 acknowledges that new development is likely to include greenfield extensions, where no appropriate sites exist within the development boundaries. Nevertheless, this proposal would deliver approximately 20% of the total housing requirement for the Rural Service Centres over the whole plan period adjacent to only one Rural Service Centre within the District. The Parish Council suggest that the proposal, together with those schemes already granted planning permission would result in the increase of the homes within the village by 33%. This is not disputed by the appellant and would be a substantial amount, generating a significant level of car movements.
18. I appreciate that additional housing would help to support existing services and facilities in the village. However, there is no substantive evidence to show that these are struggling. Moreover, it seems to me that the vitality of the community can be maintained with fewer new houses. Both on its own and when taken in combination with the existing planning permissions, I consider that the appeal proposal would result in a disproportionate expansion to the village in population terms. In my opinion, concentrating so many houses in this particular location with limited accessibility to services other than by the car would make them functionally isolated and undermine the aims of paragraphs 7 and 17 of the Framework of locating new dwellings in rural areas close to services and facilities as a means of reducing unnecessary travel by car, with its associated carbon emissions, as one measure to cumulatively limit the effects of climate change.
19. Whilst I recognise that there is generally a greater reliance on the private car in more remote rural areas, it remains the case that there would be limited sustainable transport choices available to enable future residents to conveniently access services and facilities. Leading on from this I do not consider there to be special circumstances to justify the erection of isolated dwellings, including those cited in paragraph 55 of the Framework namely that they would be essential for a rural worker; would secure the future of a heritage asset; would re-use a redundant or disused building or would be of exceptional quality or design.
20. The Core Strategy identifies 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 Ranskill, together with a lack of alternative transport choices, leads me to conclude that it would not be a sustainable location to accommodate the number of houses proposed.
21. I have had regard to the requirements in relation to the appellant's Residential Travel Plan 2016 (RTP) which forms one of the obligations within the UU. While the initiatives to encourage pedestrians, cyclists and use of the bus services is welcomed, I have already found that such modes of transport are unlikely to be attractive to future residents to access their day to day services and facilities due to specific site conditions and the limited available services.
22. I acknowledge that previous applications for housing, to which I have already referred, have been granted planning permission by the Council which considered Ranskill to be a sustainable location at that time. However, I note that none of the four individual planning applications proposed more than 30 dwellings which is significantly fewer than the proposal before me now.

Furthermore, just because the previous applications for dwellings have been found to be acceptable does not mean that there is an automatic case that additional dwellings would be equally appropriate. Taken to its logical conclusion, such an argument could result in the unconstrained development of any given area.

23. For the reasons above therefore, I conclude that the development would not be consistent with local and national policies relating to its countryside location. The development proposed would therefore be contrary to Policy CS1 and Part A (iii) of Policy DM4 of the Core Strategy and paragraphs 7, 17 and 55 of the Framework.
24. The Council also refers to Policy DM3 of the CS which refers to general development in the countryside where the appeal site is located. There is some dispute as to whether the Policy is relevant to the appeal proposals. In any case the wording is similar to that contained within paragraph 55 of the Framework against which I have assessed the proposal.

Character and appearance

25. Ranskill forms a relatively small village within a rural landscape. Maps provided by the appellant show its historical evolution from the origins around the main crossroads in the village, with residential development extending mainly to the north and east.
26. The appeal site is within the Idle Lowlands Policy Zone 10: Ranskill identified in the Landscape Character Assessment – Bassetlaw, Nottinghamshire, Bassetlaw District Council, August 2009 (LCA). Characteristics of the area are generally flat and low lying land with open views towards wooded skylines. I saw this to be fairly representative of the area around Ranskill. The appeal site is generally flat, currently used for arable farmland and mainly enclosed by hedges and a small number of trees. Its open, undeveloped nature contributes to the rural character of the area.
27. As part of the planning application process, the appellants submitted a Landscape and Visual Impact Assessment 2016(LVIA), which sets out a detailed analysis of landscape character and visual resources. The LVIA judged the overall landscape effects of the proposed development on the immediate surrounding area to be negligible due to the marginal degree of change and therefore the integrity of the area would not be compromised. These findings have not been disputed by the Council.
28. It is apparent from the evidence before me, and from my site visit that, given the nature of the development proposed, namely the use of a greenfield site on the edge of a settlement, it would be likely that the appearance of the area would change. However, change does not equate necessarily to harm.
29. The proposal would clearly alter the character of the field, but would do so in a manner not dissimilar to the estate immediately to the south of the appeal site developed in the 1980's reflecting the historical evolution and form of the village to the north. The illustrative masterplan shows that development could be set back from Folly Nook Lane and Great North Road, reflecting the character of existing housing on these roads. Furthermore, existing hedgerows would be maintained and reinforced and an area of public open space provided within the site incorporating sustainable urban drainage solutions. The LVIA

also confirms that internal tree planting would be carried out. While the proposal is in outline form many of these features could be secured by the imposition of a suitably worded condition if the proposal was otherwise acceptable.

30. The Council refer to the provision of two, and two and a half, storey dwellings having an impact on the northern access to the village. However, I saw that some properties on Arundel Drive have two storeys. While two and a half storey dwellings may be higher, they would not be significantly so. In any case the precise details of the size and form of the dwellings would be for future consideration by the Council.
31. As a result, views into the site when approaching from the north would be very similar to those existing. As such, I am satisfied that the proposed development would not appear incongruous or out of keeping with the character and appearance of Ranskill and would represent an appropriate extension to the village in this respect.
32. As part of the LCA's aims to conserve and reinforce the open rural character of the landscape, it recommends that new development should be concentrated around the existing settlement of Ranskill and along the A638 Great North Road. This reinforces my views that the character and appearance of the area would not be materially harmed due to the proposal.
33. For the reasons above, I therefore conclude that the proposal would not be materially harmful to the character and appearance of the area. There would, therefore be no conflict with part A (ii) and Part B of Policy DM4 of the Core Strategy. These require that development complements and enhances the character of the built, historic and natural environment and respect its wider surroundings.

Other matters

34. Reference is made to the Initial draft Bassetlaw Local Plan which was published for consultation in late 2016, together with the Ranskill Neighbourhood Plan. However, both documents are at a very early stage of preparation and therefore in accordance with paragraph 216 of the Framework I have given them very limited weight in my consideration.
35. The appellant refers to appeal decision APP/A3010/W/15/3005580 which was allowed for the residential development at Beckingham also designated a Rural Service Centre. I note though that Beckingham has a wider range of facilities including a village store and post office together with a village hall, than Ranskill. Furthermore, the proposal was only for 38 dwellings significantly less than proposed in this appeal. From the limited information before me therefore I do not consider that the proposals are directly comparable. In any case I have determined the appeal based on its own merits.
36. Whilst I have some sympathy for the Appellant regarding pre-application advice provided by the Council which may have indicated that the proposal would be acceptable in terms of its location and character and appearance, it is clearly stated in the correspondence that the advice is informal and does not prejudice the Council's decision on a subsequent planning application. In any event, it falls to me to assess the merits of the proposal.

Planning Balance and Conclusion

37. 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. 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 Ranskill.
38. There would be some minor ecological enhancement together with the provision of some public open space, albeit in association with the provisions of Sustainable Urban Drainage Scheme which can be afforded modest weight. The lack of harm to the character and appearance of the area is neutral within the planning balance.
39. It is proposed that 25% of the houses would be affordable, as required by Policy CS8 of the Core Strategy. 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.
40. As the Council is unable to demonstrate a five year housing land supply, then 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.
41. I therefore give limited weight to Policies CS1, CS8 and part A iii of Policy DM4, in so much as it relates to Policy CS8, of the Core Strategy, and thus, the provision of 130 houses would contribute towards helping address the identified significant undersupply of housing. However, I have found that Ranskill would not be an accessible location to accommodate the proposed number of houses including affordable homes. As a result, the benefit in addressing the five year housing land supply would be limited and the proposal would not accord with the social and environmental roles of planning. I give this considerable weight in my decision.
42. 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