

**18/02894/OUT**

**Applicant** Mr Phillip Wall

**Location** Land Within Curtilage Of 10 Landcroft Lane Sutton Bonington Nottinghamshire LE12 5PD

**Proposal** Outline planning permission for construction of a 3/4 bedroom bungalow and access (with all other matters reserved)

**Ward** Sutton Bonington

## **THE SITE AND SURROUNDINGS**

1. The application relates to a 0.09 hectare site located on the south side of Landcroft Lane. The site falls within the ownership of 10 Landcroft Lane and it is located approximately 45 metres to the west of the host property. The immediate streetscene consists of a fairly consistent linear frontage of dwellings along the north side of Landcroft Lane with a more sporadic pattern of development along the south side.
2. The application site consists of a broadly square plot on the western approach to the cluster of dwellings on Landcroft Lane. The site abuts open countryside to the west. The site is screened by conifer trees along the front boundary with a circa 2 metre high hedgerow and sporadic tree cover along the western boundary. Intervening trees between the site and No. 10 Landcroft Lane act to largely screen views of the host property.

## **DETAILS OF THE PROPOSAL**

3. The application seeks outline planning permission with all matters reserved, except access, for the erection of a 3-4 bed bungalow.

## **SITE HISTORY**

4. 13/00289/FUL- Build a 2.6 metre high 225mm thick, rendered block wall with coping. Granted in 2013.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

5. One Ward Councillor (Cllr Brown) does not object.

### **Town/Parish Council**

6. Sutton Bonington Parish Council object to the proposal on the basis that the site is in the open countryside and therefore any new building would result in urbanisation and a reduction in the extension of the open countryside, with a negative impact on the character of the area. The previous approval for a building to the east of the current house was approved only on the basis that it was a conversion of a previous stable/holiday let and, therefore, cannot be

used as a precedent for further new development. The previous approval for the conversion of the property to the east appears to have been based on the applicants desire to downsize from his current adjacent property. It appears that the same reason is being given for the current outline application.

### **Statutory and Other Consultees**

7. Nottinghamshire County Council as Highway Authority do not object, commenting that it is not envisaged that the traffic generated will materially change the existing situation.

### **Local Residents and the General Public**

8. One neighbour objects to the proposal on the basis that it would extend the urban footprint of Landcroft Lane towards the village.

### **PLANNING POLICY**

9. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (referred to herein as 'Core Strategy') and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Other material planning considerations include the National Planning Policy Framework (NPPF) and the Rushcliffe Borough Non Statutory Replacement Local Plan (2006). The publication version Local Plan Part 2: Land and Planning Policies is also a material consideration although these policies carry limited weight as they are currently subject to an independent examination.

### **Relevant National Planning Policies and Guidance**

10. The relevant national policy considerations for this proposal are those contained within the National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. The proposal falls to be considered under section 12 of the NPPF (Achieving well-designed places) and it should be ensured that the development satisfies the criteria outlined under paragraph 127 of the NPPF. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with paragraph 130 of the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.
11. Section 5 of the NPPF (Delivering a sufficient supply of homes) is of relevance to this application, specifically paragraph 79 whereby planning policies and decisions should avoid the development of isolated homes in the countryside unless the development meets one or more of the circumstances set out in this paragraph.

### **Relevant Local Planning Policies and Guidance**

12. The Core Strategy reinforces a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Policy 3

of the Core Strategy identifies the locations where development should be accommodated, these areas being the main built up area adjoining Nottingham and the defined Key Settlements for growth. Outside of these areas residential development should be for local needs only, on small scale infill sites. The proposal falls to be considered under Policy 10 of the Core Strategy (Design and Enhancing Local Identity). Development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development should be assessed in terms of the criteria listed under section 2 of Policy 10, specifically 2(b) whereby the development should be assessed in terms of its impacts on neighbouring amenity. Core Strategy Policy 8 (Housing Size, Mix and Choice) states that residential development should provide a mix of housing tenures, types and sizes. Paragraph 7 of this policy states that where there is robust evidence of local need, such as an up to date Housing Needs Survey, rural exception sites or sites allocated purely for affordable housing will be permitted within or adjacent to rural settlements.

13. Whilst not a statutory document, the policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan (NSRLP) should be given weight as a material consideration in decision making. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) of the Rushcliffe NSRLP. GP2d sets out that development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development. Also of relevance to this application are GP2a (amenity impacts of traffic generation), GP2b (suitable access and parking), GP2c (sufficient ancillary amenity and circulation space), and GP2g (impact on future occupiers from existing nearby uses).
14. The proposal falls to be considered under policy HOU2 as an unallocated development. The size and location of the site should not detrimentally affect the character or pattern of the surrounding area, and the site should not make a contribution to the amenity of the surrounding area by virtue of its character or open nature. The site should be accessible by a range of services other than by private car. The proposal also falls to be considered under EN19 and should ensure that in line with policy EN19a) *"there will be no significant adverse impact upon the open nature of the Green Belt or open countryside, or upon important buildings, landscape features or views"*.
15. None of the saved policies from the Rushcliffe Borough Local Plan 1996 apply.
16. The proposal falls to be considered under Policy 22 (Development within the Countryside) of the emerging Local Plan Part 2. Development on land beyond the physical edge of settlements, identified as countryside development, will generally be permitted where it falls within the uses set out under paragraph 2 and subject to the requirements set out under paragraph 3 of this policy. The current proposal does not fall within any of the exceptions listed under paragraph 2.

## APPRAISAL

17. The application seeks outline planning permission on land to the west of 10 Landcroft Lane. The pattern of development in the immediate area consists of a ribbon of properties running along the north side of Landcroft Lane and a more sporadic pattern of development along the south side. This cluster of dwellings at the end of Landcroft Lane is not a defined settlement, being divorced from Sutton Bonnington which is located approximately a kilometre to the west (Marle Pit Hill).
18. The pattern of development along the south side of Landcroft Lane consists of two established dwellings at Nos. 10 and 24 Landcroft Lane, between which is a permanent traveller site for a single family at No. 22, extant planning consents for a dwelling at No. 20, and a stable conversion/extension to from a holiday let at No. 18. The current application site is distinct from the other permissions on the intervening plots between No. 10 and No. 24 insofar that it is not an 'infill' plot. The application site is located circa 45 metres to the west of No. 10, which is currently the westernmost development on the south side of Landcroft Lane.
19. The site falls outside of the Key Settlements identified for growth under Policy 3 of the Rushcliffe Local Plan Part 1: Core Strategy, whereby outside of these areas development should be for local needs only. This is clarified through paragraph 3.3.17 which states that local needs will be delivered through small scale infill development or on exception sites. The development is not an exception site and it would not constitute 'small scale infill' given that there are no neighbours to the west or rear.
20. A new dwelling in this location would result in a westward extension of the loosely defined development along Landcroft Lane, thereby resulting in an encroachment into the open countryside and an adverse impact upon its open nature contrary to policy EN19 of the Rushcliffe NSRLP.
21. Although there is an established ribbon of properties along the north side of Landcroft Lane, the pattern on the southern side is sporadic in nature. The proposal would result in development beyond any physical settlement edge, thereby falling to be considered under policy 22 (Development within the Countryside) of the emerging Local Plan Part 2. The proposal for the erection of a new dwelling would not fall within any of the uses permitted under paragraph 2 of this policy. The proposal would be contrary to paragraph 3c) of this policy as it would *"create or extend ribbon development"*.
22. In considering the visual amenities of the area, whilst the site benefits from a good degree of tree screening along the highway frontage, a dwelling in this location would result in a loss of openness and the erosion of the rural character of the immediate streetscene.
23. Given the location of the site, circa 45 metres to the west of the host property, a new dwelling could lead to future 'infilling' in the intervening space between the new dwelling and host property, thereby resulting in an 'urbanising effect' along the south side of Landcroft Lane. The site falls within an area of sporadic/ ribbon development outside a settlement and therefore a development in this location would be contrary to the criterion (f) of HOU2 of the Rushcliffe NSRLP.

24. The Borough Council currently does not have a five year supply of deliverable housing sites and, therefore, to address this shortfall a limited number of additional housing sites may need to be identified within smaller 'Non- Key Settlements' including Sutton Bonington as identified in paragraph 3.9 of the emerging Local Plan Part 2 (LLP2). Paragraph 3.103 identifies that the village has the *"scope to sustain around 80 dwellings"* along with the housing allocation at Land North of Park Lane as set out under Policy 10 of the LLP2. The application site is clearly divorced from the settlement of Sutton Bonington and could not be considered as an 'adjacent' greenfield site as per paragraph 3.103 of the LLP2.
25. Where the a Local Planning Authority is unable to demonstrate a five year housing supply, policies for the delivery of housing will be considered out of date and the 'tilted balance' will apply. In these circumstances, the benefits of the scheme, including any contribution to the five year housing supply, will need to be balanced with any harm arising from the proposal. Given the proximity of Sutton Bonington as a 'Non- Key Settlement', it is not considered that a shortfall in the five year housing supply provides a justification for a new dwelling at Land adjacent to 10 Landcroft Lane, which is a greenfield site outside of a defined settlement and of a less sustainable location than a site within Sutton Bonington. Although there is a well- served bus stop 7 minutes' walk from the site, the site is approximately 1.2 miles from the village store and the Post Office in the village centre. The site is, therefore, likely to be heavily car reliant compared to a development within Sutton Bonington. Officers have considered the justification put forward in the submitted Design and Access statement including the employment of a small local workforce during construction and the freeing up of a large family house, however neither of these elements of the proposal could be secured by way of condition and are not considered to outweigh the harm to the Open Countryside. Similarly, the very small contribution a single dwelling would make to the five year housing supply would not outweigh the harm arising from the development.
26. The site is located on a 'quiet lane' with a 30 mph speed limit and low traffic flows. Nottinghamshire County Council Highways do not object on the basis that a single dwelling would not materially change the existing situation.
27. There are fundamental objections to the proposal and it is considered that these cannot be overcome. The applicant has been made aware of the situation in writing and in order to avoid the applicant incurring further abortive costs, consideration has not been delayed by discussions which cannot resolve the policy objection to the proposal.

## **RECOMMENDATION**

It is RECOMMENDED that planning permission be refused for the following reasons

1. The proposal would extend the built up area of a sporadic ribbon of properties and an encroachment into the open countryside, resulting in significant harm to the character and openness of the open countryside and the character and appearance of the area. The site falls outside of the key settlements for growth identified under Policy 3 of the Rushcliffe Local Plan Part 1: Core Strategy and the site would not constitute a small scale infill or

exception site for local needs as set out in 3.3.17 of the Core Strategy. Paragraph 3.9 of the emerging Local Plan Part 2 lists a number of smaller settlements which are capable of accommodating a limited number of dwellings. Paragraph 3.10 states that beyond these allocations, development will be limited to small scale infill development, defined as development of small gaps within the existing built fabric of the village or previously developed sites whose development would not have a harmful impact on the pattern or character of the area. The proposed dwelling sits outside any village and would not constitute infill development as envisaged in 3.3.17 and would, therefore, be contrary to policy 3 of the Core Strategy.

The proposal is also contrary to Policy HOU2 (Development on Unallocated Sites) of the Rushcliffe Borough Non Statutory Replacement Local Plan (2006) which states: *"Planning permission for new unallocated development within settlements will be granted providing that:*

- a) the development of the site would not extend the built-up area of the settlement;*
- b) the development would not have an adverse visual impact or be prominent from locations outside the settlement*
- c) the proposal does not fall within an area of sporadic or ribbon development outside a settlement, nor is situated in the countryside"*

The proposal is contrary to Policy EN19a (Impact On The Green Belt And Open Countryside) of the Rushcliffe Borough Non Statutory Replacement Local Plan (2006) which states, inter alia, that development must demonstrate that: *"there will be no significant adverse impact upon the open nature of the green belt or open countryside, or upon important buildings, landscape features or views"*

The proposal would not fall within any of permitted uses set out under Policy 22, para. 2 of the emerging Local Plan Part 2 and it would be contrary to para. 3 of this policy which states that development will be permitted where:

*"c) it does not create or extend ribbon development"*

The proposal would be contrary to paragraph 127 c) of the National Planning Policy Framework where development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. A decision to refuse planning permission would accord with paragraph 130 of the NPPF which states that *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents"*.