

## PLANNING COMMITTEE,

13<sup>th</sup> December 2023

### INFORMATION REPORT

#### APPEAL DECISION RECEIVED

23/00108/COU    Mr Daulby            Appeal against the refusal of full planning permission for the Conversion of Existing Garage/Storage/Workshop Building to One New Dwelling

DECISION:    Appeal DISMISSED by the Inspector.

An application for the conversion of existing garage/storage/workshop building to one new dwelling was refused on 27<sup>th</sup> March 2023 under delegated authority for the following reasons;

*1. Policy DM2 of the Bassetlaw Local Development Framework states The conversion of non-residential rural buildings for solely market housing (or for schemes where conversion for market housing is part of a wider development scheme that includes viable long-term, linked economic development uses) will be supported where an economic, community/service or affordable housing use of the building has been shown to be unviable. Applicants will be expected to demonstrate that all reasonable efforts have been made to sell and let the site or premises for an economic development, community/service or affordable housing use at a realistic price for a period of at least 12 months or to provide evidence that demonstrates to the Council's satisfaction that conversion for such uses is unviable. The conversion of modern, purpose-built agricultural or industrial buildings, regardless of their location, for residential purposes will not be supported.*

*The building is a modern, purpose built storage / warehouse building and no details have been submitted to demonstrate that all reasonable efforts have been made to sell or let the premises at a realistic price for the alternative uses. It is therefore considered the proposal is contrary to Policy DM2.*

*2. Policy DM9 of the Bassetlaw Local Development Framework states that that new development proposals in and adjoining the countryside will be expected to be designed so as to be sensitive to their landscape setting and expected to enhance the distinctive qualities of the landscape character policy zone in which they would be situated.*

*The Bassetlaw Landscape Character Assessment states the aim for this area is to create and reinforce landscape features and with regard to built features, the aim is to conserve the traditional character of the surrounding settlements by reinforcing the local vernacular in any new development and conserve and reinforce the open rural character of the Policy Zone by concentrating new small scale development around Sutton-cum-Lound and Barnby Moor at the boundaries of the Policy Zone.*

*Policy DM4 of the Bassetlaw Core Strategy states that all development proposals will need to be in keeping with the character and appearance of the wider area.*

*Policy 1 of the Neighbourhood Plan states proposals for residential development should demonstrate a high design quality that enhances the distinctiveness and quality of the village by contributing to its historic rural character*

*Policy 6 of the Sutton cum Lound Neighbourhood Plan states that residential development on redevelopment sites will only be supported where the scheme is in keeping with the character of the area particularly in relation to historic development patterns and building plot sizes*

*The proposed alterations do not reflect the character of the existing building and would introduce a relatively modern suburban style dwelling into a countryside setting which would appear incongruous and result in harm to the character of the surrounding area. It is therefore considered that the proposal would have a detrimental impact on the visual amenity of the area and the countryside landscape character.*

*Accordingly, it is considered that the proposal would not comply with the aims of the landscape character assessment and policies DM4 and DM9 of Bassetlaw Local Development Framework, Policies 1 and 6 of the Neighbourhood Plan and paragraph 127 of the NPPF.*

The inspector considered that the main issues were:

- i) Whether suitable measures have been investigated with regard to alternative uses for the building.
- ii) The effect of the development on the character and appearance of the area

The Inspector concluded the following:

i) The Council's first reason for refusal relates to section (B) which sets out the requirements for utilising a non-residential rural building for market housing, which includes investigation of alternative uses, and that effective marketing must have taken place. However, I find this approach of the Council to be incorrect. The last approved and implemented use, previously approved by the council, was for domestic residential use, as itemised in the banner heading above. As such, I do not consider that any marketing is required, as the use was, in fact ancillary to the residential use of the main property. As a result, I find no conflict with Policy DM2 of the CS, as it does not relate in this instance.

ii) I find that the design and appearance of the proposed dwelling does not reflect the locality, with large amounts of glazing to the proposal, specifically on what is indicated as the front elevation, but overall, on three of the four elevations. This does not respect the rural character of the building and gives the overall appearance far more of a contemporary look than many of the nearby and surrounding properties, and does not reflect the character of the locality.

Albeit the development would not be readily visible from the main road or any public vantage points, views from surrounding dwellings would be available. Any loss of vegetation would allow longer distance views to become available, and the appeal proposal would generally be seen as an unwelcome intrusion.

Policy DM3 also seeks to ensure such development is appropriate for its location, setting and compatibility with surrounding land uses. The wider character of the area is agricultural and interspersed with buildings.

I therefore conclude that the development harms the character and appearance of the area, contrary to CS Policies DM3 and DM4. Combined, and insofar as they are relevant

to the proposal these seek to ensure development is appropriate for its setting taking into account local distinctiveness. The development is also contrary to the National Planning Policy Framework (the Framework) at paragraph 130 where it seeks to ensure development is sympathetic to local character and recognising the intrinsic character of the countryside as set out in paragraph 174.

A copy of the Inspector's decision letter follow this report.

**OFFICER RECOMMENDATION:** Refuse

**FINALISED DECISION LEVEL:** Delegated following referral to PCG