



**Bassetlaw**  
**DISTRICT COUNCIL**  
— North Nottinghamshire —

Mr Jeffrey Brabban  
5 Glover Road  
Totley Rise  
Sheffield  
S17 4HN

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**TOWN AND COUNTRY PLANNING ACT 1990 (as amended)**

**Application For:** Full Planning Permission

**NOTICE OF DECISION**

**Application No:** 22/00863/FUL

**Applicant:** Mr Byron Foster

**Agent:** Mr Jeffrey Brabban

**Proposal:** Demolition of an Existing Bungalow and erection of a Detached House and Garages.with new vehicular access

**Site Address:** Land Including Littlewood House Wheatley Road Sturton Le Steeple Retford

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The Council have considered the application and hereby **REFUSE PLANNING PERMISSION** for the reasons set out below:

**REASONS:**

1. Policy DM4 of the Bassetlaw Local Development Framework states that permission will only be granted for residential development that is of a high quality design, respects the character of the area and respects its wider surroundings in relation to historic development patterns and plot sizes. Section 3.5 of the Supplementary Planning Document 'Successful Places' indicates that developments should support local distinctiveness by taking the opportunities available to integrate the proposal into the site, its setting and the way it relates to the local area. Paragraph 130 of the NPPF states that development should provide a high standard of amenity for existing and future users. Similar advice is contained in paragraphs 130 and 134 of the NPPF which states that development should be sympathetic to local character including the surrounding built environment and landscape setting.

Policy 5 of the Sturton Neighbourhood Plan states that proposals should be of a high-quality which responds to the surrounding local character and that proposals should be positioned sensitively and be of a scale and form which will not dominate neighbouring properties

The proposal by virtue of its design and scale would unduly dominate its surroundings and fail to integrate with the existing character of development in this location. The replacement dwelling would be of an excessive height and as a result would fail to take the opportunities available for improving the character and quality of an area and instead appear as a discordant feature in the rural landscape setting. As such it is considered that the proposal would not comply with Part 12 of the NPPF, Policy DM4 of the Bassetlaw Local Development Framework, the adopted Supplementary Planning Document 'Successful Places' and Policy 5 of the Sturton Neighbourhood Plan.

2. Paragraph 130 of the NPPF and Policy DM4 of the Core Strategy state that permission will only be granted for residential development that is of a high quality design, which provides adequate residential amenity for new and existing residents. Paragraph 154 of the NPPF states that new development should help to reduce greenhouse gas emissions through location, orientation and design.

The proposal for a replacement dwelling with a significant increase in height, in proximity of the shared boundary, is considered to pose harm to the operation of the photovoltaic panels at Cranleigh by way of overshadowing to the panels and a result loss of anticipated energy generation from the installation.

## **NOTES**

1. You are advised that as of 1st September 2013 the Bassetlaw Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date.

Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website [www.bassetlaw.gov.uk/everything-else/planning-building/community-infrastructure-levy](http://www.bassetlaw.gov.uk/everything-else/planning-building/community-infrastructure-levy)

2. Should the applicant be minded to resubmit the application with a revised scheme, it is requested that existing floorplans are included and the CIL information form is completed. The form is available via [https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_cil\\_additional\\_information.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_cil_additional_information.pdf)

## **STATEMENT**

*The application was clearly contrary to the relevant planning policies and the Local Planning Authority working positively and proactively with the applicants would have afforded no opportunity to overcome these problems.*

**Date: 10 August 2022**



John Krawczyk  
Planning Development Manager  
Authorised Officer on behalf of Planning Services  
Bassetlaw District Council

**Note: Attention is drawn to the Notices attached**

## TOWN AND COUNTRY PLANNING ACT 1990

**Application Number:** 22/00863/FUL

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission for a householder\* application, if you want to appeal against the local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial (shop front) application, if you want to appeal against the local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against the local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

If you want to appeal against the local planning authority's decision (not included above) then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-decision>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

\* Householder application means – (a) an application for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse or  
(b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development, **but does not include** – an application for change of use; an application to change the number of dwellings in a building.

## **PURCHASE NOTICES**

if either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.