



# Appeal Decision

Site visit made on 5 December 2023

**by S Pearce BA(Hons) MPlan MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 January 2024**

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**Appeal Ref: APP/A3010/W/23/3320497**

**Wheatley Field Farm, Retford Road, North Wheatley, Nottinghamshire DN22 9DX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Ben Atkin of BMA Limited against the decision of Bassetlaw District Council.
  - The application Ref 22/01242/FUL, dated 2 August 2022, was refused by notice dated 3 November 2022.
  - The development proposed is described as a "steel portal framed storage building. Linked to stables and general site. Low brick wall with charred timber cladding to walls. Steel personnel security doors, and pair of overhead sectional roller shutter doors, powder coated in anthracite grey (RAL 7016). Trapezoidal pattern composite roof panels with matching style rooflight panels. Inset gutter system."
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. Since the determination of this application, a revised National Planning Policy Framework (the Framework) was published on 19 December 2023 and updated on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the Framework, and I am satisfied that no party's interests would be prejudiced by my taking this approach.

## Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

4. Wheatley Field Farm lies within the countryside, within the Bassetlaw Landscape Character Assessment Mid-Nottinghamshire Farmlands Policy Zone 04: Clarborough, which is described as an intensive arable and pastoral landscape where the historic field pattern is evident, with mainly deciduous woodland unifying the policy zone. The overall aim for the area is to conserve the open, rural character of the landscape and, in terms of built features, this includes, among other things, conserving and respecting the local brick built vernacular in any new development.
5. The appeal site is mostly hard surfaced and, as a result of the surrounding trees and vegetation, has a woodland setting. A cluster of traditional buildings,

- of a relatively modest scale, constructed predominately of red brick and tiled roofs, lie within close proximity to the appeal site. A public footpath also runs close to the northerly and westerly boundaries of the appeal site. The surrounding landscape is primarily agricultural, with fields bounded by hedgerows, small woodlands and farmsteads. It is the clustered, modest buildings, uniformity of materials and woodland setting which contribute towards the character of the area.
6. The proposed development comprises a building with a substantial footprint. It has been designed with 4m high steel roller shutter doors, with an eaves and ridge height to accommodate this. Although it is noted the existing tree and vegetation coverage would largely screen the proposed development from wider views, it would, nevertheless, be visible from the adjacent footpath.
  7. While the proposed siting has been carefully considered, with regard to surrounding features and buildings, the proposed footprint and materials would result in a building with an incongruously excessive scale, which would dominate and distract from the nearby modest built form and the open, rural character of the area. Moreover, the design and building materials would be incompatible with the existing local vernacular and would look harmfully out of place.
  8. The appellant contends that the building is designed to meet their requirements, to securely store items of mainly domestic equestrian-related equipment, some of which dictate its overall height. While I accept that some of the items are large, not all are. Based on the evidence, it has not been satisfactorily demonstrated that a building of the height and scale proposed is necessary in connection with a domestic equine use.
  9. The appellant refers to the possibility of a building being erected under permitted development, of a similar footprint to the appeal scheme but with a lower height. However, no further details have been submitted and a detailed comparison with the appeal scheme cannot be made. Additionally, there little before me that the alternative scheme suggested is a greater than theoretical possibility or, that if the appeal is dismissed, the alternative would be pursued. As a consequence, I find the suggested fallback position to have limited weight in the determination of the appeal.
  10. A number of other sites, numbered 1-7, have been drawn to my attention. While I do not have the details of the planning background for each example before me, some of these sites are connected to commercial or farm uses, whereas the appeal proposal is required in connection with domestic horse stables, manege and paddocks. Furthermore, some of the other sites already have buildings with large footprints in situ and, as such, are viewed in a different context to the appeal scheme. As a result, these sites are not directly comparable.
  11. The appellant has suggested an alternative location for the proposed development, however this is not the scheme I am considering here. In any case, a revised location would not address the harm I have identified in respect of the scale, design and materials of the development proposed.
  12. For these reasons, the proposed development would harm the character and appearance of the area in conflict with Policies DM4 and DM9 of the Bassetlaw District Local Development Framework Core Strategy and Development

Management Policies DPD Adopted December 2011 (CS) and Policy 2a of the Sturton Ward Neighbourhood Plan 2021-2037 February 2016. Collectively, these seek, among other things, to ensure development respects its wider surroundings, is sensitive to their landscape setting and protect the positive attributes of the open countryside and landscape character. It is also contrary to the Framework, which seeks to ensure decisions contribute to and enhance the natural and local environment, by recognising the intrinsic character and beauty of the countryside.

13. In addition to the policies referred to by the Council, the appellant contends CS Policy DM3 is also applicable in the consideration of this appeal. Even if the proposal was considered against this policy, the harm identified in respect of the character and appearance of the area would result in conflict with criteria C ii) of CS Policy DM3, which requires that the scale, design and form of the proposal be appropriate for its location and setting.

### **Other Matters**

14. The appellant highlights the submitted Arboricultural Report suggests specific measures to ensure the retention and protection of existing trees. The Council have raised no objections in respect of adjacent trees and recommends tree protection measures are implemented during construction works, which could be secured by condition. Having regard to the extent of the hard surfacing within the appeal site, age and location of the trees and vegetation to be removed and proximity of the development to the retained trees, I see no reason to disagree. However, an absence of harm in this regard is a neutral matter.
15. The appellant contends that they sought to work positively and collaboratively with the Council, including making attempts to discuss concerns with them prior to the refusal, with no resolution. In determining the appeal, I am required to have regard to the planning merits of the proposal, and this is therefore a matter between the appellant and the Council.

### **Conclusion**

16. For the above reasons, I conclude that the proposed development would conflict with the development plan as a whole. There are no material considerations, including the Framework, that indicate I should conclude other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

*S Pearce*

INSPECTOR