
Appeal Decision

Site visit made on 24 September 2019

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2019

Appeal Ref: APP/B3030/W/19/3232388

Field Number 8708, Land at Gravelly Lane, Morton NG25 0UW

- 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 Gary Davies against the decision of Newark & Sherwood District Council.
 - The application Ref 18/02002/FUL, dated 8 October 2018, was refused by notice dated 16 January 2019.
 - The development proposed is an extension to the existing barn (approved 15/01673/FUL) for hay storage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application which accurately describes the proposal.
3. Since the refusal of the planning application the Council has adopted the Plan Review - Review of the Newark and Sherwood Local Development Framework Core Strategy and Allocations Amended Core Strategy (Amended Core Strategy) adopted March 2019. Spatial Policy 3 of the Amended Core Strategy reflects the same policy context as Spatial Policy 3 of the superseded Newark and Sherwood Core Strategy 2011 (Core Strategy). I therefore do not consider that this has prejudiced the appellant's case.

Main Issue

4. The main issue is whether there is an operational need for the proposed development in the countryside.

Reasons

5. For the purposes of this appeal the most relevant development plan policies are those contained within the Amended Core Strategy and the Newark and Sherwood Local Development Framework Allocations and Development

Management Development Plan Document (DPD) adopted 2013. Policy DM8 of the DPD relates to development in the open countryside and says in relation to agricultural buildings that *"proposals will need to explain the need for the development, it's siting and scale in relation to the use it is intended to serve"*.

6. The appeal site comprises of a modern agricultural building positioned close to the road within a pasture field. I observed on my site visit that the building contained a tractor, horse box and trailer, several tools and equipment, and some hay amongst other things. It is understood that the appellant has up to 4 horses on the land holding at the appeal site and sheep graze the fields annually. Although I have no substantive evidence regarding the number of sheep grazing and whether these are owned by the appellant or not, I did observe a small number of sheep during my site visit.
7. The site appears to me to have a grazing use which is incidental to its use for the keeping of horses. These are uses which would normally take place in areas of countryside. As set out above, Policy DM8 of the DPD makes provision for development which has an operational need for a countryside location. Consequently, for development to be acceptable in such a location that development must be necessary to enable that rural use to function.
8. The appellant advises that the proposed extension would be used to store hay and additional equipment used in connection with the land at the appeal site and 2 other land holdings elsewhere at Fiskerton and Ramsdale/Calverton. Whilst I recognise that extending the building at the appeal site may well be a preferred option for the appellant to a new building elsewhere, there is no substantive evidence presented to me as to what agricultural activities are undertaken at these other land holdings, nor their precise location in terms of the accessibility justification presented.
9. I recognise that the appellant wishes to store equipment securely, and I did observe that the existing building is secure. However, the open sided nature of the extension would not be secure. Whilst this may be appropriate for hay, any additional equipment stored in this area would not be securely stored. Even if the open sided extension was used purely for hay storage, I have no substantive evidence of what additional equipment is required for storage in connection with the appeal site or the appellant's other land holdings.
10. The appellant has suggested that a condition restricting storage to agricultural related items only would be acceptable. However, limiting the storage in this manner would not overcome my concerns as to whether there is an operational need for this additional storage in connection with the appellant's land holdings.
11. Drawing all the above matters together and based on the evidence before me, I cannot be sufficiently certain that a need exists for the extension proposed. In the absence of a demonstrated need, the proposal would represent unsustainable development in the countryside. Accordingly, the proposal would conflict with the requirements of Policy DM8 of the DPD and Spatial Policy 3 of the Amended Core Strategy which are concerned with development in the countryside. These policies are consistent with the provisions of the National Planning Policy Framework and can therefore be given substantial weight.

Other Matters

12. There is common ground between the main parties that the proposal would be acceptable in relation to other material planning considerations such as visual amenity, flood risk, living conditions of nearby residents and highway safety. I have no reason to disagree with these findings.
13. I also understand that one of the appellant's other land holdings is in the green belt. However, there is no substantive evidence provided for an assessment to be made as to whether extending the appeal building is preferable to a building located at, and serving, the other land holding.
14. I recognise that there would be some modest benefits to the rural economy from the proposed extension. However, given the scale of extension such benefits would be small.

Conclusion

15. I have considered all the arguments advanced in support of the proposal raised in the evidence before me. However, the lack of harm in relation to the other matters highlighted, and the limited benefits to the rural economy, does not outweigh my concerns in relation to operational need. The appeal is therefore dismissed.

Robert Walker

INSPECTOR