
Appeal Decision

Site visit made on 1 September 2020

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2020

Appeal Ref: APP/P3040/W/20/3249360

**Field, via A52 access, Ruddington, Nottingham, Nottinghamshire
NG11 6ND**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Brian Wells, on behalf of John A Wells Ltd, against the decision of Rushcliffe Borough Council.
 - The application Ref 20/00306/AGRIC, dated 5 February 2020, was refused by notice dated 18 March 2020.
 - The development proposed is for a general-purpose agricultural building.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal relates to works for the erection of a building within an agricultural unit in excess of 5 hectares. Schedule 2, part 6, Class A(a) of the GPDO¹, allows for the erection of an agricultural building which is reasonably necessary for the purpose of agriculture within that unit. Class A.1 sets limitations where such development would not be permitted. There is no dispute between parties that the proposal would meet these limitations.
3. Paragraph A.2 (2)(d)(i) requires, amongst other things, for the developer to apply to the Local Planning Authority for a determination as to whether its prior approval will be required for the siting, design and external appearance of the agricultural building. Prior Approval was refused by the Council on the basis that it considered that these elements were deemed to be harmful to the open character of the surrounding countryside.

Main Issue

4. The main issue is the visual impact of the proposed development on the surrounding area having regard to its siting, design and external appearance.

Reasons

5. The appeal site is within a relatively large field, used for cropping. The field is adjacent to the A52 and gradually rises away from the highway to higher land especially to its northwest and northeast corners. The field boundary to the

¹ The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

highway is largely open with trees and hedges providing only partial screening. Several public footpaths run around the field including where adjacent to Sharphill Wood. From that vantage buildings to the south of the A52 are largely screened from wider views by a dense screen of vegetation. Moreover, the buildings that were visible through the trees made a generally subtle intervention into the rural context. Whereas, the appeal site and its surrounding area is within a rural area that is largely open and exposed.

6. In terms of design and external appearance, the proposed barn would be a single span portal framed building. It would be around 10 metres tall and have a comparatively large footprint of around 840sqm. Its sides would consist of grey concrete panels with green composite panels above and across the roof. These materials would result in a traditional form of agricultural building. As a result, the design of the proposal and its materials would be appropriate.
7. However, in terms of siting, the proposed barn would be located close to the A52. As a result of its height, proximity to the highway and limited field boundary screening, it would be highly visible from wider public views. It would also be clearly visible from nearby public footpaths including those on higher land adjacent to Sharphill Wood. Furthermore, being in an exposed location the proposed barn would have a significant impact on its surroundings and would be an obtrusive addition within this open setting. This would consequently demonstrably harm the rural character of the area. Furthermore, due to the scale of the proposal any enhanced screening would not adequately mitigate the identified impact. Consequently, the siting of the proposed barn would result in a conspicuous addition to the local vista.
8. The proposal would be in an isolated location and not be part of a group of similar buildings or nestled within landscaping features that would enable its visual impact to be mitigated. As such, the proposal would not be well assimilated into the local landscape and would be a prominent and obtrusive addition to an otherwise open area of land. Accordingly, the proposal would be a discordant and harmful addition to the site.
9. The proposal would be operationally well located for access to the adjacent highway. However, this benefit would not alleviate the identified harmful impact of the proposal. Due to its siting, combined with its scale, the proposal would substantially harm the rural character and appearance of the surrounding area.
10. The Council refused the proposal partly on the basis that it would be contrary to policies within its development plan. However, the principle of development is established through the grant of permission by the GPDO. Moreover, the National Planning Policy Framework finds that agricultural buildings are not inappropriate in the Green Belt and a test of openness is not advanced by paragraph 145(a). Therefore, I have taken into account the provision of the development plan only so far as it is material. However, the policies identified relate to the application of national Green Belt Policy and are therefore not germane to this case.
11. For the above reasons the appeal is dismissed, and prior approval is not given.

Ben Plenty

INSPECTOR