



Appeal Decision

Site visit made on 16 March 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2021

Appeal Ref: APP/P3040/W/20/3263711

**Land to the North East of Main Street, Sutton cum Granby,
Nottinghamshire NG13 9QA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr B Roberts (Elton Park Farms) against Rushcliffe Borough Council.
 - The application Ref 20/1644/FUL, is dated 25 June 2020.
 - The development proposed is provision of general-purpose grain store & machine store for farming equipment in connection with Elton Park Farms business.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The address of the site was worded differently on the application form. However, correspondence between the parties utilised the address above, and that was replicated on the appeal form by the appellant, therefore I have used that on the banner above. I am satisfied that the site can be clearly identified and neither party has been prejudiced.

Main Issues

3. The main issues in this case are the need for an agricultural storage building in the location and the impact of the development on adjacent neighbours in terms of noise and disturbance.

Reasons

4. The appeal site is a small section of a much larger arable field, with access to the field taken off Main Street close to the boundary with the closest property (Willow Cottage). The locality contains a handful of dwellings and agricultural buildings and can be considered to be rural in nature.
5. The appeal proposal is for a large building to house a grain store and provide a machine store for farming equipment. It would measure approximately 17.5m x 23.7m with an overall height of approximately 9m. It would be constructed of a concrete wall bottom section, with timber boarding above, and a profiled metal roof. An area of hardstanding would be surrounding the building, which would have roller shutter doors to two elevations.

6. The nature and design of the building is agricultural, and would not cause harm in terms of character and appearance given the nature of the locality, even if it was to be located toward the front of the site, and I understand that it to be sited away from Willow Cottage, which is the property adjacent the site.
7. Whilst I have no doubt that the building is for agricultural use, I find the location of the building, separated from other buildings and the main part of the land holdings of the appellant, to be inappropriate in terms of location. I find that the appellant has provided limited justification for the location, and closer to the existing buildings would be better from a security and a locational standpoint in terms of the agricultural unit as a whole.
8. As a result of the location, separated from the main farm complex, I find that the proposals are contrary to Policy 22 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) (the LP) which expects development to be well integrated with existing buildings.
9. With regard to the issue of noise and disturbance, I have taken into consideration the comments of the appellant in relation to "occasional" use, and the Council's commentary on what is considered occasional.
10. In a rural area, where agricultural enterprise is prominent, there will be an expectation of agricultural vehicle movements, and these are traditionally slower vehicles, and they can be slightly noisier than domestic vehicles. I find that one vehicle movement per day as indicated in the statement of the appellant, with additional vehicle movements at harvest time, is not excessive in a rural area, and I find that it would not cause harm to the living conditions of the adjacent residents at Willow Cottage to a level that would cause material harm.
11. There is an expectation for those adjacent to a field access, for it to be in use from time to time, and more so at harvest time. I do not consider the amount and timing of vehicle movements to be considerable or disruptive to any great extent.
12. As a result, I do not find conflict with policies 1 and 22 of the LP, which amongst other matters, sets out acceptable uses within the countryside and sets out the requirements for development to be acceptable in terms of amenity and disturbance.
13. However, this does not overcome the harms that I have identified in relation to the location of the development.

Other Matters

14. The site is not located within the Green Belt, so I have not considered the comments of the appellant as regard to those matters, as they do not have any bearing on my decision, nor have I considered the issue of the best and most versatile agricultural land, as it is not an issue raised by the Local Authority in their statement.

Conclusion

15. Therefore, for the reasons given above, and taking into account all other matters, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR