



Appeal Decision

Site Visit made on 8 March 2021

by R Walmsley BSc, MSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2021

Appeal Ref: APP/K2420/W/20/3259539
36 Main Street, Carlton, CV13 0EZ

- 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 R Dolman against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref 20/00519/FUL, dated 2 June 2020, was refused by notice dated 30 July 2020.
 - The development proposed is erection of a storage shed for storage of a traction engine.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is whether the proposed development would be an acceptable form of development having regard to the policies of the local plan.

Reasons

3. The appeal site is outside of the settlement of Carlton and is therefore within the countryside. Policy DM4 of the Local Plan (2016) seeks to ensure that the character of the countryside is safeguarded from unsustainable development. The policy lists several criteria which development in the countryside is required to meet to qualify as sustainable development.
4. Age alone is not a sufficient basis for reducing the weight to be given to development plan policies, as paragraph 213 of the National Planning Policy Framework (the Framework) provides, 'existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of (the) Framework. Due weight should be given to them, according to their degree of consistency with (this) Framework...'. Policy DM4 is consistent with the Framework's approach to supporting a prosperous rural economy whilst contributing to and enhancing the natural and local environment. I therefore attach full weight to this policy.
5. The appellant draws my attention to policy 13 of the Core Strategy (2009) which refers to development in rural hamlets. The development would not be in a settlement and therefore this policy is not relevant to the development proposed.

6. Returning to policy DM4, of the criteria listed, based on the evidence before me, criterion (c) is the most relevant to the development proposed; that of ensuring that development in the countryside significantly contributes to economic growth, job creation and/or diversification of rural businesses.
7. The development is justified on the basis that the storage shed would house a traction engine. It is not clear what role the traction engine plays in the growing of Christmas trees and therefore to what extent the engine and a shed to house it are necessary to sustain this activity.
8. It was apparent from my site visit that Christmas trees are growing on land adjoining the appeal site. And I understand that the appellant hopes to invite members of the public to the site. However, I have no details about current or future business operations or indeed any business associated with the trees to establish the impact of a storage shed on business. In fact, it is suggested in the appellant's evidence that the 'traction engine could still be used for farming purposes were Mr Dolman minded' which is not testament of the development being essential to business needs.
9. The appellant suggests that the development is also needed to store traditional farm machinery, a possible hedge cutter and a boat. There is no evidence of this equipment being related to any business activity.
10. The storage shed would be screened from public views by existing planting. Together with its position in a distant corner of the appeal site it would not appear visually prominent. However, the proposal would create a notable change in the appearance of the land on which it would sit and would be an encroachment of built form into the countryside. This is contrary to the aim of policy DM4 to protect the countryside's character.
11. The social benefit of attracting visitors and the environmental benefit of planting trees are noted but they are insufficient to outweigh the harm identified. And so, all in all, I find that the development would not significantly contribute to economic growth, job creation and/or diversification of a rural business and therefore would be an unacceptable and unsustainable form of development in the countryside, contrary to policy DM4 of the Local Plan.

Conclusion

12. For the reasons given and having regard to all other matters raised, I conclude that the development would be an unacceptable form of development and therefore contrary to the development plan when taken as a whole. There are no material considerations to suggest a decision other than in accordance with the development plan and therefore the appeal is dismissed.

R Walmsley

INSPECTOR