
Appeal Decision

Site visit made on 8 June 2021

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2021

Appeal Ref: APP/B3030/W/21/3267529

Mill Barn, Main Street, Maplebeck NG22 0BS

- 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 M Combellack against the decision of Newark & Sherwood District Council.
 - The application Ref 20/01057/FUL, dated 17 June 2020, was refused by notice dated 14 September 2020.
 - The development proposed is construction of a timber stable, agricultural storage barn and 30m x 40m menage for private use, including change of use of part of the site from agricultural to recreational use.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr M Combellack against Newark & Sherwood District Council. This application is the subject of a separate Decision.

Procedural Matters

3. I noted at my site visit that the menage area and the foundations for the stable building have been constructed. Since the appeal was submitted a planning permission has been granted for the timber stable block and menage area for private use including change of use of part of the site from agriculture to recreational use¹. The parties agree that having regard to this decision the open sided barn, which is described on the application form as an agricultural storage barn, is the focus of the appeal. I have considered the appeal accordingly.
4. The Council's statement of case confirms that reference to lack of grazing land in the decision notice is no longer relevant because of the further information provided in the appellant's statement. Therefore, I shall not consider this matter further.

¹ under Local Authority reference 21/00477/FUL dated 27 April 2021

Main Issues

5. Taking the above into consideration, the main issues are: (i) whether having regard to local and national planning policies there is a need for the proposed agricultural storage barn; and (ii) the effect of the proposed agricultural storage barn and associated access on the area's landscape character.

Reasons

Need

6. Policy SP3 of the Plan Review of the Newark & Sherwood Local Development Framework Core Strategy & Allocations Policy adopted March 2019 (Amended Core Strategy) (CS) supports the rural economy by among other things supporting appropriate agricultural development. Policy DM8 1 of the Newark & Sherwood Allocations & Development Management DPD adopted July 2013 (ADMDPD) states that development in the countryside will be strictly controlled and that agricultural and forestry development requiring planning permission in the open countryside will need to explain the need for the development, its siting and scale in relation to the use it is intended to serve. Policy DM8 7 supports domestic equestrian uses and associated buildings provided the design criteria in Policy DM5 of the ADMDPD are met.
7. The policy approach is largely consistent with the National Planning Policy Framework (the Framework) where it states that planning policies and decisions should enable the development and diversification of agricultural and other land-based rural businesses. The Framework also recognises the intrinsic character and beauty of the countryside.
8. The application form and the appeal form refer to the barn as an agricultural storage barn and the Design and Access Statement (DAS) describes the barn as an agricultural storage building. Under the heading 'Use' the DAS seeks 'equestrian facilities for private recreational use and an barn'. The evidence indicates that the barn is not part of the proposed equestrian use but a separate building for agricultural purposes.
9. Although the land around the proposed barn is identified as agricultural land, I have no evidence before me that the appellant has a need for an agricultural storage building and there is no justification for its siting and scale. I note that the appellant's statement acknowledges the requirement in Policy DM8 1 to explain the need for agricultural development, however, I am not clear from the evidence before me what that need is. Nor, in accordance with the Framework, am I satisfied that the barn would support the development or diversification of an agricultural business.
10. Therefore, the need for the proposed agricultural storage barn, having regard to local and national planning policies, has not been demonstrated and the proposal would conflict with Policy SP3 of the CS and Policy DM8 of the ADMDPD. It would also conflict with the Framework.

Landscape character

11. The appeal site comprises parts of two agricultural fields accessed via an unmade track from the village street frontage, via the drive and parking area of 'Mill Barn' and 'Two Hoots'. The equestrian development consists of menage and stable building and is located at the top of the access track. The proposed

agricultural storage building would be sited in the adjacent field, broadly to the south of the equestrian facilities, accessed via a field gate.

12. The appeal site is part of the Nottinghamshire farmlands Zone: Maplebeck Farmlands with Ancient Woodlands in the Newark and Sherwood landscape character assessment. It is described as a gently undulating and rounded landform with relatively open, medium distance views. There are some smaller fields of pasture and grazing generally in the vicinity of settlements. Lanes and tracks are often sunken, hedgerows tend to be mature and topography in places limits views. The appeal site, where it is proposed to construct the barn, is part of a medium sized field bounded by hedging with some mature trees. It is elevated above the village and within the field the land rises somewhat from the field gate. The field displays many of the key characteristics of the landscape character and therefore is sensitive to change.
13. The proposal would be a pitched roofed structure supported at the corners with open sides. It would have the appearance of a typical agricultural building and would not be a significant height at around 5 metres. It would have some visibility from properties that face towards the open fields, however, because of its open sides, the hedged boundaries of the field and the topography around the appeal site, the structure would not be a prominent feature of the landscape. The proposed access with typical agricultural field gate would not be obtrusive or incongruous in its setting.
14. Overall, I conclude that the proposed agricultural storage barn would not have an adverse effect on the area's landscape character and would not conflict with Policies SP13, CP9, CP13, of the CS or Policy DM5 of the ADMDPD where these policies seek to ensure that development does not have a detrimental impact on the character of the location or its landscape setting. It would also accord with the Framework where it seeks to ensure that development is sympathetic to local character including the surrounding built environment and landscape setting.

Other Matters

15. Maplebeck Conservation Area (MCA) is adjacent to the site. The Framework defines the setting of a heritage asset as the surroundings in which it is experienced. Part of the setting of the MCA is the rural landscape immediately adjacent to it, of which the appeal site is part. The land rises from the village and the surrounding higher land provides a backdrop to the MCA and there are clear views into the village. The proposed agricultural barn would have some limited visibility from within the conservation area, however, given its design and siting the MCA's character and its appearance would be preserved.
16. I acknowledge that there are trees covered by Tree Preservation Orders within the vicinity of the site. There is no evidence before me that any protected trees would be affected by the development.
17. I appreciate that there were no objections from residents and consultees, even so, I have considered the proposal before me on its merits and in accordance with the development plan.

Conclusion

18. For the reasons given above, I conclude that the proposal conflicts with the development plan and there are no material considerations, including the lack

of harm in terms of the effect of the development on the area's landscape character, that would outweigh that conflict. Therefore, the appeal is dismissed.

Diane Cragg

INSPECTOR