



Appeal Decision

Site visit made on 10 August 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2021

Appeal Ref: APP/W3005/W/21/3273386

261 Wild Hill, Teversal, Sutton in Ashfield, Nottingham NG17 3JF

- 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 P Brewell against the decision of Ashfield District Council.
 - The application Ref V/2021/0066, dated 28 January 2021, was refused by notice dated 18 March 2021.
 - The development proposed is agricultural storage building for agricultural purposes only.
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Decision

1. The appeal is allowed, and planning permission is granted for an agricultural storage building for agricultural purposes only at 261 Wild Hill, Teversal, Sutton in Ashfield, Nottingham NG17 3JF in accordance with the terms of the application Ref V/2021/0066 subject to the conditions in the enclosed schedule.

Main Issue

2. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

3. The site is in a rural location, in an area designated as countryside in the Ashfield Local Plan Review (2002) (the LP). It is registered as a smallholding and has an existing complex of buildings. The site has a gated access from the highway and is largely screened from the highway by landscape features.
4. The appeal relates to an area of land within the grounds of the property. Parts of the land around it are used in association with the dwelling on the site and are domestic in their appearance. However, the site is part of a registered smallholding. The grounds of the appeal site, including the areas around the proposed building, are therefore partly domestic and partly agricultural in their use, character and appearance.
5. The proposed storage building is to be approximately 13.5m x 13.5m to a height of 7m, and will be a steel portal frame structure, with concrete blockwork for the first 2m, then profiled metal cladding. A single roller shutter door will be for the purposes of access. The proposed building would be functional in design and appearance. The overall building would have an agricultural character and appearance, typical of its countryside location. The appellants statement suggests the building is for agricultural storage to prevent theft in this rural location.

6. The section of the appeal site to house the building is currently covered in loose hardcore and is occupied by assorted materials and two vehicles. From my site visit, I do not consider it to be in an isolated location and relates well to the remainder of the overall site.
7. The building would be positioned near to the access road through the site. Due to its scale, location, screening, and the topography of surrounding land, the building would not be prominent to passers-by, as they travel in both directions along Chesterfield Road but there would be some visibility from a nearby public right of way that bypasses the site, but the site of an agricultural building in a rural location is to be expected. I am satisfied that the agricultural design and appearance would respect the site's countryside setting.
8. The building's appearance and materials would be consistent with its intended purpose as an agricultural storage building. As such, it would not appear incongruous within the partly agricultural context of its surroundings within the overall site.
9. The building would be set well back into the site and as stated above, would be largely screened in public views by existing landscaping. It would be visible from some properties on Wild Hill. However, it would be some distance from those properties, and because of the local topography and its relatively modest size and height, it would not appear unduly dominant in views from within or outside the site.
10. Given the above, I conclude that the development would not have an adverse effect on the character or appearance of the appeal site, its surroundings or the wider landscape. It would not conflict with Policy EV2 of the LP and Policy NP4 of the Teversal, Stanton Hill and Skegby Neighbourhood Plan (2016) which expect development to, amongst other matters, be located and designed so as not to adversely affect the character of the countryside and be a use appropriate to the countryside. Nor would it conflict with the Framework, which requires development to be sympathetic to local character, including the surrounding built environment and landscape setting.

Other Matters

11. I have noted comments from a local resident and the Council with regard to the intended use of the building. I can only deal with the matters that I have in front of me and if there were to be any alternate uses to begin without permission or that conditions were to be breached, I am sure that the enforcement arm of the Council would swing into action accordingly and deal with any transgressions appropriately.

Conditions

12. I have considered the list of conditions provided by the Council and consider them all to be necessary and reasonable, but I have altered the wording of Condition 4 to ensure that it no longer pre-commencement and initial works can get underway if necessary. Conditions 1 to 3 are included in the interests of proper planning and certainty. Condition 4 is included to ensure that the development properly integrates into its rural surroundings, whilst Condition 5 ensures the protection of the rural area and Condition 6 allows the Council to retain to control over development and future uses.

Conclusion

13. For the reasons given above, I conclude that the appeal should be allowed.

Paul Cooper

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.
- 2) This permission shall be read in accordance with the following plans: Site Location Plan. Proposed Block Plan. Proposed Elevations and Floor Plans, Drawing No.261WH.T/2021/PE1. All Received 01/02/2021. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.
- 3) The materials and finishes to be used for the external elevations and roof of the proposal shall match those as identified on the proposed drawing.
- 4) No development shall take place beyond slab level until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping. All planting, seeding or turfing indicated on the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 5) The building shall be used for no other purposes other than for agriculture.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development relating to Class Q, Part 3 of Schedule 2 shall be undertaken without the prior written approval of the Local Planning Authority.