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# Appeal Decision

Site visit made on 6 July 2023

**by Jonathan Bore MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 14 July 2023**

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**Appeal Ref: APP/N3020/W/22/3297151**

**Ramper Covert Woodland (next to layby on A60) Mansfield Road, Arnold, Nottingham**

- 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 Sherwood Glade against the decision of Gedling Borough Council.
- The application Ref Application No:2022/0172, dated 11 February 2022, was refused by notice dated 11 April 2022.
- The development proposed is the change of use of land to form a seasonal, green, carbon negative, wedding venue (1st June – 31st August inclusive) including the siting of two linked tipis, WC trailer and renewable energy system.

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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issues in this case are, firstly, the effect of the proposal on the Green Belt and on the character of the landscape and countryside; and secondly, the impact on highway safety.

## Reasons

*The effect on the Green Belt and on the character of the landscape and countryside*

3. The site is in the Nottingham-Derby Green Belt. There are some scattered farms in the vicinity, and the Police Headquarters is some distance to the north, but the site itself lies within a largely undeveloped landscape, with wooded hills to the east of the A60 Mansfield Road, and open countryside to the west. Green Belt policy aims to prevent urban sprawl by keeping land permanently open and by safeguarding the countryside from encroachment. To this end, paragraph 149 of the National Planning Policy Framework (NPPF) states that the construction of new buildings in the Green Belt is inappropriate. There are exceptions, but the construction of new buildings for a wedding venue is not among them; a wedding venue is not a form of outdoor recreation. In addition, paragraph 150 of the NPPF indicates that material changes of use are only acceptable in the Green Belt provided they preserve openness.
4. The proposed two linked tipis, which would host 12 wedding events between 1 June and 31 August, would be in place throughout the three-month operational period. They would be substantial in size and would have the appearance of buildings. Along with the related trailer-mounted solar and wind

power generator and the trailer-mounted toilet block, they would diminish the openness of the Green Belt and the character of the countryside during the period when they were in place. The same would also be true of the car parking in the woodland clearings. The fact that the local wooded, hilly topography limits views of the interior of the site from the A60 makes no difference in terms of the impact on the Green Belt, since the point of Green Belt policy is to keep land itself permanently open. Moreover, any highway alterations to provide a ghost right turn lane, discussed below, together with the necessary signage, would permanently erode the rural character of this part of the Green Belt. For all the above reasons, the scheme would be inappropriate development in the Green Belt.

5. The intention is to make the venue carbon-negative by powering the events by renewable energy, and to carry out reforestation and create ponds and other features to attract wildlife, but these well-intentioned aspects of the scheme would not outweigh the harm to the Green Belt and countryside caused by the additional buildings and ancillary items described above. It is appreciated that there is a demand for sustainable weddings, and that there may be beneficial economic spin-offs, and I have considered the representation by the Member of Parliament for Sherwood in favour of the scheme. However, it does not follow that the demand has to be met through the use of this particular undeveloped woodland Green Belt site. It is recognised that wedding events have taken place on the site under permitted development rights, but that does not justify granting planning permission for this scheme, given the harm it would cause to the Green Belt and the conflict with Green Belt policy.
6. There is sufficient open space within the site to provide adequate car parking, protect significant trees (which here are subject to a tree preservation order) and protect and enhance the ecological interest of the site, but these factors do not outweigh the harm to the Green Belt and landscape and countryside.

#### *The effect on highway safety*

7. The A60 past the site is a busy, straight highway with a 50mph speed restriction. Sight lines from the site entrance are good and the entrance drive itself could be laid out without difficulty to accommodate in and out movements. However, the scheme would introduce slowing and left- and right-turning traffic on to a busy, free-flowing rural stretch of main road with few side turnings, bringing the potential for unexpected and conflicting movements. The scheme proposes a ghost right turn lane that had previously been designed to satisfy the highway authority in respect of earlier unsuccessful applications for a campsite and burial ground. However, wedding events would result in different movement patterns compared with those schemes. Their nature is such that traffic would tend to enter and leave the site in batches rather than being spread over a longer period, putting greater pressure on the junction, creating the potential for conflict arising from queuing vehicles and related sudden deceleration, and presenting a significant risk to highway safety. It is recognised that the present access has been used in connection with the exercise of permitted development rights on the land, but that does not justify granting planning permission for this development, with its attendant risk to highway safety.

## Conclusion

8. The scheme would amount to inappropriate development and would be contrary to national policy to protect the Green Belt, as set out in the National Planning Policy Framework. It would harm the character of the landscape and countryside, contrary to Policy LPD 19 of the adopted Gedling Borough Local Planning Document Part 2 and would represent a significant risk to highway safety, contrary to Policy LPD 61 of the same plan. Whilst there are a number of well-intentioned aspects of the scheme, the positive aspects do not amount to the very special circumstances that would be required to outweigh the harm to the Green Belt and the other harmful aspects of the proposed development.
9. The suggestion of a three-year temporary permission does not alter this conclusion. A temporary permission may be useful where it is necessary to gauge the operation of the use but is not suitable in this case because it is evident from the outset that the proposed development would have a harmful effect on the Green Belt.
10. This decision is consistent with recent appeal decisions concerning various proposed developments on the site (ref nos 3234649, 3243100, 3272020, 3272871, 3276147, 3283174 and 3306064). I have considered all the other matters raised but they do not alter the balance of my conclusions. For all the above reasons, the appeal is dismissed.

*Jonathan Bore MRTPI*

INSPECTOR