



Appeal Decision

Site visit made on 15 May 2024

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th June 2024

Appeal Ref: APP/X3025/W/23/3334760

Land at Penniment Lane, Mansfield NG19 6PQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Eric Hollingworth against the decision of Mansfield District Council.
 - The application Ref is 2023/0451/FUL.
 - The development proposed is for the erection of two holiday lodges, and the creation of a wildflower meadow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area; and the effect upon the setting of Penniment Lodge Farm and Penniment Barn, Grade II listed buildings.

Reasons

Character and appearance

3. The appeal site forms part of a large field located off Penniment Lane, which runs north to south and forms the western site boundary. The site is grassed over, save for an access track and a recently constructed stable block adjacent to the northern boundary of the field just beyond the site boundary. Access is provided via a gate from a short cul-de-sac spur of Penniment Lane.
4. Established hedgerows largely delineate the northern and western site boundaries, with an open field to the south. The site forms part of a pleasant rural landscape characterised by narrow lanes, open fields, established hedgerows and trees and small groups of dwellings and agricultural buildings such as those at Penniment Lodge Farm opposite. For development plan purposes, the site is within the countryside.
5. The appeal proposal is for the erection of two holiday lodges positioned in a linear arrangement to the south of the stable block and accessed from the existing gateway via an extended driveway. While only single storey in height, each lodge would have a substantial rectangular footprint and contain a lounge, kitchen, dining space and three bedrooms. A wildflower meadow would be created in the western part of the site.
6. Recreation and tourism development is supported by Policy S3 of the Mansfield District Local Plan 2013-2033 (LP), subject to the criteria set out in part 2 of

the policy, including the requirement that the development safeguards or enhances the character of the landscape.

7. Although there is already a stable block adjacent to the site, the siting of this next to the hedgerow along the northern site boundary is relatively discreet. In contrast, the proposed lodges would protrude a considerable distance south into the field in a prominent and exposed position.
8. While the design of the lodges has sought to reflect elements of agricultural buildings typically found in the countryside, including the use of vertical timber cladding, the development would have an overly domestic appearance as a result of such features as glazed window and door openings and verandas. The introduction of two large lodges with access and parking areas, together with likely associated paraphernalia, would appear as a prominent intrusion into the open countryside and be out of keeping with the rural landscape.
9. The existing hedgerows to the site boundaries would provide some screening. However, the proposal would be visible in gaps in the hedgerow to the western site boundary. Although at the time of my visit the hedgerow to the northern boundary largely screened the appeal site from this direction, it would be partially visible from the opening in the hedgerow formed by the gateway. Moreover, if the hedgerow on this boundary is pruned or reduced in height in the future then the development would likely also be visible from the bridleway to the north. The proposal would be intrusive in views from the public right of way to the south. The appellant refers to new planting, however this would take time to mature and would not sufficiently mitigate the harm to the character of the countryside.
10. I conclude that the proposal would be significantly harmful to the character and appearance of the area. It would be contrary to Policy S3 of the LP, which seeks to ensure, amongst other things, that the character and appearance of the landscape is safeguarded or enhanced.

Setting of listed buildings

11. The appeal site is to the south of Penniment Lodge Farm and Barn, which are both Grade II listed buildings. The two buildings share a forecourt and have a particularly close relationship. The Farm is a two storey, double fronted dwelling dating from around 1820. It is stone built with a white render finish under a slate roof and features an arched front entrance and sash windows. The Barn, which has been converted to residential use, dates from around 1700 with later additions and is constructed in coursed sandstone rubble. It has a long rectangular form and features a single storey projection to the front and a brick pigeon cote to the eastern end which projects above the roof of the remainder of the building. Based on the evidence, I consider that the significance of the buildings is derived from their form and architectural features, age, and agricultural origins, together with their group value and setting relative to the rural landscape.
12. Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses when dealing with planning applications.

13. The appellant contends that the more recent additions and alterations to the buildings have domesticated their appearance and eroded their setting and association with the wider agricultural landscape. However, their agricultural origins can still be readily appreciated due to their close relationship to one another and the countryside, together with their traditional layout and form.
14. Given the historic maps provided by the appellant, it is not certain that the appeal site has had a historical agricultural association with the Farm and Barn. Nevertheless, the listed buildings are within close proximity of the site, with access directly opposite. The location of the Farm and Barn within a rural setting provides an important basis to the appreciation of the listed buildings. From the south the buildings are seen across open fields and the appeal site visually contributes to this rural backdrop.
15. The established hedgerow along the northern boundary of the field would largely screen the development from the listed buildings. Therefore, any intervisibility between the listed buildings and the lodges would be limited in close range views. However, when travelling north along Penniment Lane the development would be seen alongside the listed buildings. It would also be viewed partly against the backdrop of the listed buildings from the public right of way to the south, with trees and hedgerows to the east and would intrude on the open vista of the buildings from this direction. The orientation of the lodges and slight fall in levels from the listed buildings to the site would have little effect in mitigating the effects of the proposal given its substantial scale.
16. Although there is already a stable block in this location, it is a small, simple structure which sits comfortably in its surroundings. The lodges would be more substantial structures of domestic appearance which would erode the open, rural character of the site and thereby diminish the rural setting of both listed buildings and consequently the way in which they are experienced.
17. For the above reasons I conclude that the proposal would have a harmful effect on the setting of the listed buildings. Therefore, it would conflict with Policy HE1 of the LP and the National Planning Policy Framework (Framework), where these seek to ensure that development conserves and enhances heritage assets and their settings.
18. The proposal would result in less than substantial harm to the setting and significance of the listed buildings. Nevertheless, this harm still carries great weight. Framework paragraph 208 states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.
19. The proposal offers potential social and economic benefits in terms of providing new holiday accommodation, local employment opportunities and visitor spending in the area which would support the rural economy. There is also the potential for biodiversity improvements to the site through the creation of the wildflower meadow and soft landscaping, albeit any benefit in this regard would likely be modest given that part of the field would be developed. The appellant has referred to other benefits of the scheme, including the use of sustainable materials and energy efficiency. Overall, given the scale of the proposed development, I attach only limited weight to these matters and conclude that they do not outweigh the less than substantial harm that would be caused to the significance of the designated heritage assets.

Other Matters

20. The Old Forge forms part of the Penniment Farm complex. On the evidence before me, I have no reason to doubt the Council's assertion that it is a non-designated heritage asset (NDHA). The Old Forge is located to the rear of Penniment Barn and there is little intervisibility between it and the appeal site. As such, I am satisfied that there would be no harm to the setting of the NDHA.
21. The appellant says that the proposed lodges would be temporary buildings and could be removed if necessary and the land restored to its original condition. However, given the large size of the structures and the likely level of investment needed in them, the development could be expected to be in place for many years and thus would have a degree of permanence.
22. The appellant refers to other tourism developments recently permitted in the local area, but I do not have the details of these and so cannot be sure that they are comparable to the appeal proposal or its specific context. The appellant states that there is a high demand for tourist accommodation, but I have seen no detailed evidence to demonstrate that there is demand for it in this particular location. While I note the appellant's contention that the proposal requires a rural setting, in the form proposed this would be harmful to the character and appearance of the area and setting of the listed buildings.
23. Although I note the other concerns raised by interested parties, as I am dismissing the appeal for other reasons there is no need for me to consider these matters further.

Planning Balance and Conclusion

24. There would be some public benefits arising from the provision of new, high quality holiday accommodation and biodiversity improvements. These matters carry limited positive weight given the scale of the development. I have found that the proposal would be harmful to the character and appearance of the area and the setting of two listed buildings. This latter harm attracts great weight in accordance with the advice contained in Framework paragraph 205. Therefore, the benefits of the proposal do not outweigh the significant harm that I have identified.
25. The proposal does not accord with the development plan as a whole and there are no other considerations of sufficient weight that indicate that I should take a different decision other than in accordance with it. I therefore conclude that the appeal should be dismissed.

M Ollerenshaw

INSPECTOR