



Appeal Decision

Site visit made on 2 August 2024

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 August 2024

Appeal Ref: APP/B3030/W/24/3340540

Paddock Land, Southwell Road, Kirklington

- 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 Mrs Sarah French against the decision of Newark & Sherwood District Council.
 - The application Ref is 23/01092/FUL.
 - The development is erection of storage barn.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (2023) (the Framework). The consultation and draft Framework do not constitute Government policy or guidance. However, they are capable of being material considerations in appeals. Notwithstanding this, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of the consultation.

Main Issue

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

Reasons

4. The appeal site lies adjacent the built-up settlement of Kirklington, access is provided in the southwestern corner via a track which is screened to the west by a dense row of leylandii which demarks the boundary. To the north, east and west are grassed paddock with boundaries demarked by hedging and fencing. Beyond the hedgerow Southwell Road lies to the south west of the site.
5. The appeal site is used for personal equestrian use. The proposed building would be used for secure storage purposes to house hay, horse box, tools, fencing materials, horse jumps and other horse exercise paraphernalia and straw, bedding, carrots, horse tack and feed bins.

6. The Council confirm that the appeal site lies within the Mid-Nottinghamshire Farmlands which is identified as an area of undulating landscape with a distinctively rural, agricultural character within The Landscape Character Assessment Supplementary Planning Document (the SPD) (2013). The SPD seeks to conserve the rural character and cites one of the threats and drivers for change in this area includes horsey culture,
7. The proposed development would be located away from the existing timber stables, however, would comprise agricultural/rural form and materials which would not be out of keeping with a rural area. Notwithstanding this due to the prominent open location the proposed development would be dominant from public vantage points.
8. I observed during my site visit that the proposed development would be obvious in the landscape from Southwell Road due to gaps in the hedgerow and the prominence in the relatively open location.
9. The appellant has drawn my attention to other rural buildings in the area, notwithstanding this the location of these buildings are not comparable in terms of location and views towards them.
10. I conclude that the proposed development would harm the character and appearance of the area.
11. There is conflict with Core Policies 9 and 13 of the Sherwood District Council, Amended Core Strategy (2019) and Policy DM5 of the Newark and Sherwood Local Development Framework, Allocations and Development Management Development Plan Document which seeks amongst other things to ensure developments are sensitively designed and in-keeping with the surrounding area.
12. There is conflict with the Framework which seeks amongst other things to ensure developments are of good design appropriate and sympathetic to their surroundings.

Other Matters

13. The appellant has drawn my attention to the number of horses located at the site and that the proposed development is required due to security reasons. I also observed during my site visit some of the items proposed to be stored within the development. Notwithstanding this I have not been provided with substantive evidence to confirm that an alternative development could not meet the needs of the appellant. I therefore give this limited weight.

Conclusion

14. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR