



Appeal Decision

Site visit made on 17 September 2024

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2024

Appeal Ref: APP/P1045/W/24/3343309

Land Adjacent to White House, Aston Lane, Sudbury, Ashbourne DE6 5HH

- 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 and Mrs J Roobottom against the decision of Derbyshire Dales District Council.
 - The application Ref is 24/00066/FUL.
 - The development proposed is the erection of an agricultural building.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. Policy S4 of the Derbyshire Dales Local Plan (LP) concerns development in the countryside and refers to proposals for agricultural development and new agricultural buildings that maintain the landscape quality and character of the countryside being granted planning permission. LP paragraph 4.28 explains that development within the countryside will be required to submit evidence to justify why such a location is required.
4. The proposed development includes the erection of an agricultural building in part of a field albeit sited adjacent to a group of other buildings associated with Ashton Heath Farm. By reason of the relationship to this existing group of buildings, and other near-by groups of buildings fronting Aston Lane, the appeal scheme would not adversely affect the open and verdant character of the surrounding countryside. There would not be a conflict with LP Policy PD5 provided the proposed agricultural building is justified as identified above.
5. At the date of the appeal application, the appellants owned about 1 hectare of land as identified on the location plan. Subsequently, the appellants have purchased a further 3 hectares which has not been identified. The intention of the appellants is to establish a market garden/small holding with the proposed building being used for storage and livestock. At the time of the site visit, there were some sheep in the field within which the proposed building would be sited but the appellants have stated that the intention is to increase the number of livestock, including domestic animals.

6. However, other than generalised stated intentions, the appellants have not provided any further details about how the proposed market garden/small holding would be operated and how it could, for example, be a viable enterprise if this is what is intended. Accordingly, the type of evidence required to justify the erection of a new agricultural building on the appeal site has not been provided and there is a conflict with LP Policy S4. The erection of an unjustified agricultural building in the countryside would also conflict with LP Policy PD5.
7. For the reasons given, it is concluded that this appeal should be dismissed because the proposed development would cause unacceptable harm to the character and appearance of the surrounding area and, as such, there would be a conflict with LP Policies S4 and PD5.

D J Barnes

INSPECTOR