



Appeal Decision

Site visit made on 16 October 2024

by Paul Martinson BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2024

Appeal Ref: APP/Y2003/W/24/3347372

Land R/O Station Road, Epworth, Doncaster DN9 1JY

- 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 Mark Gravil against the decision of North Lincolnshire Council.
 - The application Ref is PA/2023/1435.
 - The development proposed is described as: 'Erect replacement agricultural building'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the appeal site is an acceptable location for the proposed development having regard to the development plan policies; and
 - the effect of the proposal on the character and appearance of the area, with particular regard to the Area of Special Historic Landscape Interest of the Isle of Axholme (the ASHLI).

Reasons

Location

3. The proposed building would be located outside of the development limits of Epworth and would thus lie within the open countryside for the purposes of planning policy. Policies CS2 and CS3 of the North Lincolnshire Core Strategy (2011) (the CS) set out that new development outside of the defined development limits of settlements will be restricted to that which is essential to the functioning of the countryside such as that related to agriculture, forestry or other uses which require a countryside location, or which will contribute to the sustainable development of the tourist industry.
4. Policy RD2 of the North Lincolnshire Local Plan (2003) (the LP) similarly restricts development in the open countryside to exceptional circumstances including, amongst other things, where the development is essential to the efficient operation of agriculture or forestry, or where it comprises employment-related development appropriate to the open countryside, the re-use and adaption of existing rural buildings or the diversification of an established agricultural business.
5. The appellant has set out that the building is required to store hay taken from the land as well as providing secure storage for machinery. I saw on the site

visit that the existing buildings, which are in a dilapidated condition, are in use for storing an excavator and tractor as well as other machinery. There was no evidence of any hay storage within the existing buildings. It is stated in the evidence that the appellant runs a smallholding business. However, I am not provided with any specific details of this business such as the type of farming activities involved, stock numbers, other existing buildings or the location of other land farmed.

6. The lack of information with regard to the existing business severely limits my ability to conclude that the proposal meets the exceptional circumstances required for new buildings in the countryside. It therefore has not been adequately demonstrated that the proposal is either essential to the functioning of the countryside, essential for the efficient operation of agriculture or forestry, or that it comprises employment-related development appropriate to the open countryside.
7. The appellant argues that the proposed building is a direct replacement for those buildings that currently exist. Nonetheless, the removal of the existing buildings does not form part of the scheme that is before me. Furthermore, given its different scale and location, I am in considerable doubt as to whether what is proposed is truly a replacement in operational terms, and moreover, as set out above, I cannot be certain as to the use of the existing buildings.
8. I therefore conclude that the appeal site is not an acceptable location for the proposed development having regard to the development plan policies. The proposal would therefore conflict with CS Policies CS2, CS3 and RD2 of the LP described above.

Character and Appearance

9. The appeal site is a grassed field that is accessed between 57 and 57B Station Road. The field is a narrow strip enclosed by hedgerows, that opens out into a wider field. It includes mature trees to its fringes and a close boarded fence boundary to the west. The site includes several buildings that lie immediately to the rear of No 57 and close to the site access. Although the buildings lie on the edge of the built form of the village, further to the south, the site is surrounded by a predominantly flat landscape of open fields bounded by hedgerows and interspersed by mature trees. The field forms part of the open countryside to the south of Station Road which contributes to the rural setting of Epworth.
10. This is a historic landscape that has been well preserved and designated as ASHLI. It is considered by both parties to be a non-designated heritage asset. On the basis of the evidence before me, I see no reason to disagree. In accordance with Paragraph 209 of the National Planning Policy Framework (the Framework), a balanced judgement will therefore be required having regard to the scale of any harm or loss and the significance of the heritage asset.
11. Within the ASHLI, LP Policy LC14 seeks to ensure new development will not be permitted which would destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features. Development required to meet the social and economic needs of rural communities will be permitted provided such development is related to the historic landscape and its features. A high standard of design and siting in new development will be required reflecting the traditional character of buildings in

the area and the character of the historic landscape, using materials sympathetic to the locality.

12. The appeal site lies within a well-preserved area of the Early Enclosed (EEL) historic landscape character within the setting of the Ancient Open Strip Fields (ASOF), the core historic landscape character type, which lie to the east. The majority of the land around the appeal site is designated as EEL which is of less significance than the ASOF and, based on the evidence in the appellant's Heritage Statement, relates to fields that were formed through a more recent enclosure of open land than through the amalgamation of strip fields. It is, nonetheless, a historic landscape and included within the AHLI which extends a considerable distance in all directions from the appeal site.
13. Whilst I acknowledge that there are occasional buildings within the landscape, these are infrequent and contribute little to its character. Moreover, a key characteristic of the landscape to the south of Station Road, around the appeal site, is its open, undeveloped nature, with the hedgerows and trees along the irregularly arranged field boundaries providing the only sense of enclosure. The site of the proposed building within the wider section of the appeal site, is an open field that lies a considerable distance from the built form of the village, the appellant's existing buildings, or any other building.
14. The proposed building would measure around 4.8 metres high and be finished in green coloured steel sheeting to its walls and roof. It would measure 15 metres long and 8 metres wide with a full-height roller shutter door to the south elevation. Its scale, roller shutter door and steel sheeted walls would give the building a somewhat industrial appearance.
15. Owing to its industrial appearance and siting, away from other built form, the proposed building would appear as an incongruous and isolated form of development at odds with its open undeveloped setting. This encroachment of new development into the open countryside would result in harm to the character and appearance of the EEL character area of the historic landscape. The proposal would therefore not demonstrate a high standard of design and the building would not reflect the traditional character of buildings in the area. Nonetheless, I agree with the appellant that the impact at present would be localised, with the trees and mature hedgerows to the south and east providing screening in views from these directions.
16. However, given the height of the building, the close boarded fence to the west would offer less screening in that regard with the building easily seen above it in longer distant views within the historic landscape. Moreover, the visibility of the building within the landscape would likely increase significantly at times when the surrounding vegetation is not in leaf. I am also mindful that boundary definition can change over time. I have no evidence that the hedgerow and trees, in particular, are subject to any specific protection and therefore they cannot be relied upon to provide the same degree of screening in the future as they do now.
17. For the above reasons I therefore conclude that the proposed building would have a harmful effect on the character and appearance of the area, with particular regard to the Area of Special Historic Landscape Interest of the Isle of Axholme. This would conflict with Policy LC14 of the LP, described above. There would also be conflict with Policy RD14 which sets out that new agricultural buildings should be sited in close proximity to existing buildings

and designed to utilise existing landforms and vegetation to minimise visual impact. Conflict would also occur with LP Policies LC7 and DS1 and CS Policies CS5 and CS16 which, together and amongst other things, seek to ensure new development constitutes high quality design that protects the scenic quality and distinctive local character of the landscape.

18. There would also be conflict with the provisions of the Framework which seek to conserve non-designated heritage assets and recognise the intrinsic character and beauty of the countryside.

Other Matters

19. I have been directed to three applications for new buildings approved by the Council within the open countryside and the ASHLI. The agricultural building approved in 2010¹ was smaller than the appeal building and constructed of different materials. The application approved in 2013² was not for a isolated agricultural building but for livery stables, whilst the 2023 approval was also not for an agricultural building but a club house for a sports club³. I have not been provided with any information that was supplied to justify the location of any of these buildings within the open countryside. This limits by ability to make a comparison with the appeal scheme. On the basis of the information before me, and my above assessment, these other schemes do not represent a parallel with the appeal scheme.
20. I have had regard to the letter of support from the occupier of a neighbouring property. Whilst I acknowledge that the proposal may reduce noise for neighbours, this benefit does not outweigh my concerns with regard to the conflict with the development plan and the effect on the landscape character. Moreover, the proposal does not include provision for the demolition of the existing buildings and therefore I cannot be certain that noise levels would not continue.

Conclusion

21. For the above reasons and having regard to all matters raised I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR

¹ Ref PA/2010/1092.

² Ref PA/2013/0024.

³ PA/2023/1574.