



Appeal Decision

Site visit made on 25 October 2024

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 December 2024

Appeal Ref: APP/P3040/W/24/3341336

**Hawksworth Manor, Town Street, Hawksworth, Nottinghamshire
NG13 9DB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015.
 - The appeal is made by Mr Monk against the decision of Rushcliffe Borough Council.
 - The application Ref is 24/00213/AGRIC.
 - The development proposed is described as: 'enclosed metal barn to provide secure, weatherproof storage for existing agricultural equipment'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal relates to the erection of a building within an agricultural unit in excess of 5 hectares. Sub-paragraph 2 of paragraph A.2-Conditions requires, amongst other things, the developer to apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building.

Main Issue

3. The main issue is the effect of the siting, design and external appearance of the proposed building on the character and appearance of the area with particular regard to landscape.

Reasons

4. The appeal site is a portion of a field located within an attractive rural landscape on the fringes of the settlement of Hawksworth and surrounded by agricultural land. The site lies alongside a small group of mature trees to the east with small fields to the north and west and the edges of the rear gardens of some of the residential properties beyond. The appeal site is open to a large field that slopes down towards the road. This field includes a public right of way running from a gated access into Hawksworth Manor in the direction of the appeal site. The appeal site is easily visible alongside the group of trees from the road and from the public right of way to the south.
5. The appeal proposal would involve the construction of a new agricultural building set into the field, some distance from any other built form. At 6 metres high to the ridge and with a footprint of 18 metres by 10 metres, it would be of a substantial scale within this setting. The south east elevation would

incorporate three tall roller shutter doors which, alongside the use of blockwork for the lower walls, would give the building a somewhat industrial appearance, at odds with this rural, undeveloped, setting.

6. The building would be clearly evident as a substantial structure in an elevated and isolated position within the landscape in views looking north from the public right of way. Whilst I acknowledge that the rooftops and rear elevations of some of the buildings can be seen within the distance and particularly further to the west, the proposed building would sit significantly further forward and would be the dominant built form seen in these views. For the same reasons, the building would also be highly visible within the landscape in views from the road to the south, particularly from gaps within the hedge and the field access. For the above reasons, in these views the building would be an intrusive and dominant structure, at odds with the rural character of the landscape here. Given the scale of the building, I am not convinced that this harm would be sufficiently mitigated by planting a native hedge which would take a number of years to establish during which time the harm would endure.
7. I acknowledge that the building is required for the secure storage of excavators and similar machinery, which has clearly influenced its height and overall scale, and that the design of the building has been amended following an earlier refused application. I also note the support in the National Planning Policy Framework (the Framework) for the sustainable growth of rural businesses and the development of agricultural and other land-based rural businesses. However, I am mindful of paragraphs 135 and 180 of the Framework which together require planning decisions to be sympathetic to local character, including the surrounding landscape setting and to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
8. For the above reasons, I therefore conclude that the proposed siting, design and external appearance of the building would be harmful to the character and appearance of the area with particular regard to the surrounding landscape. The proposal would be contrary to Policy 10 of the Rushcliffe Local Plan Part 1 Core Strategy and Policies 1 and 22 of the Rushcliffe Local Plan Part 2 Land and Planning Policies which together seek to ensure new development is well designed and sensitive to its surroundings, including its landscape setting.
9. There would also be conflict with paragraphs 135 and 180 of the Framework, described above.

Other Matters

10. There has been discussion between the parties as to the acceptability and suitability of alternative locations for the proposed building, however my role is limited to a consideration of the appeal scheme that is before me. Nonetheless, I sympathise with the appellant with regard to the difficulties in selecting a site having regard to the effect on heritage assets, which I have considered below.
11. The proposed building would be constructed near to the boundary of the Hawksworth Conservation Area (the CA) and access to the appeal site would require crossing that boundary. I am mindful of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

12. The significance of the CA insofar as it relates to this appeal derives from its architectural and historic interest as a small, predominantly agricultural, village that is recorded in the Domesday Survey of 1086. Residential properties typically have large gardens often with mature trees which are a feature of the village fringes and define the boundary between the settlement and the rich farmland surroundings. Owing to its position, set well into the field, adjacent to trees and behind a hedgerow, I am satisfied that the proposed building would not be prominent in views looking south out of the CA from around Hawksworth Manor, Town Street or heading south along the public right of way. As such, notwithstanding my above conclusions with regard to the wider landscape, in these views, the farmland setting of the CA would be preserved. On this basis the proposal would meet the requirements of the Act set out above and would comply with the provisions within the Framework that seek to ensure heritage assets are conserved. I note the Council concluded similarly.
13. The appeal site lies within the land holding of the Grade II listed Hawksworth Manor and is accessed from a narrow lane running to the front of the property. As this is an application for prior approval, section 66(1) of the Act in relation to listed buildings does not apply, nonetheless I have considered the effect on the setting of the listed building as part of my considerations in relation to siting, design and external appearance. The special interest and significance of this asset largely stems from its architectural and historic interest as a mid-seventeenth century manor house with later additions including numerous farm buildings. Given the location of the proposed building, set away from the Manor House with views from the Manor House and its immediate setting limited, as described above, I consider that the setting of the listed building would be preserved and its significance, including the contribution made by its setting, would not be harmed. The proposal would comply with the provisions in the Framework that relate to the conservation of heritage assets. I also note that the Council also had no concerns in this regard.

Conclusion

14. For the reasons given above, the appeal is dismissed.

Paul Martinson

INSPECTOR