



Appeal Decision

Site visit made on 10 March 2025

by **B Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25th March 2025

Appeal Ref: APP/A3010/W/24/3352032

Land off Scotter Lane Road, Hayton, Retford, Nottinghamshire DN22 9LF

- 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 Ms Susan Garrido against the decision of Bassetlaw District Council.
 - The application Ref is 24/00222/FUL.
 - The development proposed is Change of use from permanent pasture to equestrian with a 12ftx24ft wooden field shelter.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During my site visit I observed that an open fronted field shelter has been erected on site and the site is already accommodating an equestrian use. However, the building erected is substantially smaller than the proposed building. As a result, I shall not regard the proposal as being retrospective in nature. Nevertheless, I shall refer to the erected building in its context as it appears to be in the same general position and of the same height as the proposal.
3. A previous proposal for the retention of the equestrian use, the erection of a field shelter and hay store was dismissed at appeal¹ in 2023. I understand that the scheme proposed two buildings and was therefore materially different to that proposed for this appeal. I shall refer to the dismissed appeal where relevant in my decision, although I am cognisant that a new development plan has been adopted since that decision was made.
4. Within the Council's Reason for Refusal No 1, the Council states that the proposal would conflict with policy 7174 of the Hayton Neighbourhood Plan [2023] (NP), but no such policy seems to exist. Nonetheless, the Council identifies within its officer report that NP policies 1a, 2 and 7 are relevant. I shall take these into account in my decision.

Main Issues

5. The main issues are:
 - The effect of the proposed development on the character and appearance of the area, and

¹ Planning Appeal Reference: APP/A3010/W/22/3306010

- The effect of the proposed use on highway safety, particularly with respect to traffic flows along Scotter Lane Road.

Reasons

Character and appearance

6. The appeal site is a plot of land within a field that has been disaggregated into a series of long thin plots. The site's sides are defined by post and wire fences with a tall hedge found on its front and rear boundaries. The site is generally flat and the larger main field has tree and hedge field boundaries. Despite field boundary planting, views from the site provide distant views of the open countryside. As such, the site is visible from many surrounding vantage points, including those along the B1403 to the north of the site. Accordingly, the open character of the site makes a positive contribution to the character and appearance of the surrounding countryside.
7. The site is within the 'Idle Lowlands Policy Zone 8: Retford' as defined by the Council's Landscape Character Assessment². This zone is characterised as being a varied low-lying river valley floor region with limited topographical changes or built development beyond settlements. It includes open views, arable farmland and rough grazing generally within well-maintained hedgerows and fragmented woodland cover. It is found to have a moderate sensitivity to change. The site, being open, flat and enclosed on two sides by hedging is consistent with the character of this zone.
8. The development seeks to erect a shelter and store in the southern-most part of the site, adjacent to a boundary hedge. The building would be clad in wooden panels and would be partly open sided, these features would help it to integrate with its surroundings. It would be partly screened from the lane, due to hedging, but it would be visible through the access points of both the appeal site and the adjacent plot. Consequently, the proposed wide and substantial building would be an overt and prominent addition in the landscape. Furthermore, the equestrian use includes a range of associated elements, such as feed, materials, and enclosures that in combination with the proposed building would add to the overall scale of development. Consequently, the proposal would erode the open character of the field, with intrusive development, to the detriment of its landscape character.
9. There are small shelters located within some of the adjacent plots, however it is not in evidence whether these have planning permission. Furthermore, whilst proposed planting and a wildflower meadow would enhance the ecological interest of the site, they would not materially screen the proposal and would not deliver sufficient biodiversity gain to outweigh the identified harmful landscape effects.
10. Equestrian stabling is a common feature within the countryside, and I understand there are a number of equestrian related uses in the area. However, due to the scale of the proposed building and the extent of fencing erected throughout the site, the proposal would cause harm to the site's landscape character. Accordingly, the proposal would harm the character and appearance of the site and area. As such the proposal would conflict with the Bassetlaw Local Plan [2024] (LP) policy ST35, NP policies 2 and 7, and the objectives of the Bassetlaw Landscape Character Assessment. These seek, among other matters, for development to

² Landscape Character Assessment, August 2009

protect the distinctive qualities of the relevant landscape character zone and to not detract from the area's landscape character.

Highway safety

11. Scotter Lane Road is a byway that connects to Main Street (the B1403) within Hayton. Scotter Lane Road is a single-track road that changes from a tarmac surface to an unmetalled track beyond the humpback bridge that crosses the canal, there are no passing points for a considerable distance along the byway. Several accesses are evident along the byway, including the residence of 'Narrow Bridge' and several field access points. A public footpath also leads from the byway to the south. The plots alongside the appeal site seemed to be used for a range of activities including for the keeping of sheep and chickens.
12. Although Main Street has been characterised by the Council as carrying a considerable amount of traffic, the highway was lightly used during my visit. Whilst providing only a snap-shot in time it seems that traffic levels would be reasonably light for most of the day. Furthermore, Main Street is relatively wide and straight, affording good visibility in both directions from the entrance of Scotter Lane Road.
13. The access from Scotter Lane Road onto Main Street is relatively narrow and would not allow two vehicles to pass. If two vehicles met, on the byway close to Main Street, one would probably have to reverse back out onto Main Street. However, I note that some residential driveways within the village are too small to allow vehicles to turn on site. These would also require similar manoeuvres for motorists, who have entered plots in a forward gear, to exit a residential plot. As such, vehicles reversing occasionally onto Main Street would seem to be an existing characteristic of the village.
14. The appellant indicates that the site requires two visits a day to care for the horses. The proposed equestrian use would attract a greater level of traffic to the site than if the field were still in arable use. Furthermore, additional journeys may be required than the two daily visits stated by the appellant, such as vet visits, for leisure and possible deliveries, but there is no indication that additional traffic would be materially greater than the minimal daily level of visits disclosed. Therefore, due to the limited number of activities that require access along the byway, the likelihood of highway conflicts with the extremely limited level of traffic associated with the proposed development would be minimal.
15. The hump-back bridge also presents a potential hazard to users of the byway. However, based on the extremely limited traffic levels associated with the use I do not find that highway safety would be materially compromised by the proposal, a conclusion also shared by the Inspector of the dismissed appeal.
16. As a result, the proposal would comply with LP policy ST53 and the National Planning Policy Framework with respect matters of highway safety. These require, *inter alia*, for development to provide well-designed, safe and convenient access for all, and for decision makers to only prevent development on highway grounds if there would be an unacceptable impact on highway safety.

Other Matters

17. An Interested party has offered support on the basis that the proposal would not result in permanent effects on the land and the village provides excellent access to

a range of byways and bridleways for horse riding. These points are noted but provide only limited weight in favour of the proposal.

Conclusion

18. The proposal would not accord with the development plan, when taken as a whole, and there are no material considerations of sufficient magnitude to indicate that the appeal should be determined other than in accordance with the development plan. As such, the appeal is dismissed.

B Plenty

INSPECTOR