



Appeal Decision

Site visit made on 11 August 2025

by **A Edgington BSc (Hons) MA CMLI**

an Inspector appointed by the Secretary of State

Decision date: 26 August 2025

Appeal Ref: APP/B3030/W/25/3367060

East Stoke Village Hall, School Lane, East Stoke , Nottinghamshire NG23 5QL

- 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 Trustees of the Booth Charities against the decision of Newark & Sherwood District Council.
 - The application Ref is 24/01968/FUL.
 - The development proposed is Demolition of Redundant Village Hall and Erection of Detached Self Build Dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the development would preserve or enhance the character or appearance of the East Stoke Conservation Area (CA);
 - Whether the development would accord with local policies and national guidance with regard to community assets; and,
 - The effect of the development on highway safety, with particular regard to safe and suitable access.

Reasons

East Stoke Conservation Area

3. East Stoke is a small village in a distinctive pastoral setting with a quiet rural character and at the time of my visit, very little traffic movement. Archaeological evidence indicates that there has been continuous human activity in the East Stoke area since the early prehistoric period. The evolution and growth of the current village appears to be associated with a medieval manor, evidenced by the presence of fishponds and ridge and furrow features. The village is also close to the site of a key battle in the Wars of the Roses, now designated as a scheduled monument.
4. The 1835 Sandersons Map shows a cluster of buildings centred around crossroads on the Roman Fosse Way. The extent of the current building pattern indicates that there has been limited growth since that period. On School Lane, the appeal site which contains the village hall (hall) is located at the western end of a long range of simple rectangular buildings abutting the road. It appears that the end

building was demolished in the 20th century. A former archway separating the appeal site from a neighbouring dwelling remains as a vehicular access.

5. The CA encompasses almost all the built form in the village and also includes the large area of parkland that separates the village from the Grade II listed Stoke Hall estate, the Grade II* listed church of St Oswald, and the woodland and agricultural land associated with the scheduled monuments. The village is linked to Stoke Hall by a long brick/lia boundary wall which runs along the lane between Stoke Hall and the appeal site. There is a full-height section of wall of similar construction supporting the hall's entrance lobby which appears to be the front wall of the original range. There is also a full -height side return that forms the boundary to one side of the vehicular access.
6. My overarching impression was that of a small rural hamlet, with a predominance of single storey cottages whose overall simplicity of form and small scale reflects their agricultural origins. These are interspersed with occasional two and three storey dwellings of varying ages. The hall's long flank elevation abuts the lane and its utilitarian and simple form, timber cladding and modest height is in keeping with the pastoral character of the nearby cottages and the village as a whole.
7. The significance of the CA is therefore derived from the typology of the building pattern, such intact historic fabric as remains, the demonstration of the local vernacular in design and use of materials, and the spatial arrangement of the built form around the crossroads, as well as the village's relationship to the nearby Stoke Hall and its parkland.
8. The hall has no aesthetic value, but its overall form and scale is reflective of limited resources in the interwar period when it was built for use by the Women's Institute, from which is derived social and communal value. However, the associated brick/lia wall supporting the entrance lobby is clearly of similar age and construction to the boundary wall that runs along the lane to Stoke Hall and probably forms part of the original 19th century outbuilding. Notwithstanding that part of the wall appears to require maintenance or remedial work, particularly where there appears to be rain ingress from the hall's roof on its front section, its intact historic fabric contributes to the rural character and appearance of the CA.
9. The development would replace the village hall with a pitched roof dwelling occupying broadly the same footprint, but with a ridgeline more than 3 metres higher than the hall and a couple of metres longer. The plans show that the brick/lia wall that currently supports the hall's entrance lobby would at least be partially demolished together with all the return wall that currently runs parallel to the hall's eastern elevation. The development would therefore result in the hall's replacement with a building of greater bulk and mass on the edge of the village's building pattern. Although the dwelling would have a fairly utilitarian form, which weighs in its favour, it would appear overly large and incongruous in the context of the adjacent range of low cottages. I agree with the Council that the fenestration on the northern roof pitch would be inappropriate for a building that appears to draw on rural references, but this could be addressed through condition should the appeal be allowed.
10. The evidence is unclear in relation to how much, if any, of the historic front boundary wall would be retained. The plans and elevations are inconsistent in this regard, and this is discussed further in relation to highway issues. In any case, the

front wall in particular is in poor condition, and remedial works to the hall would be likely to require at least partial demolition of the wall and rebuilding. However, the side return, which is not connected to the hall appeared to be in reasonable condition. Nonetheless, the development would result in a loss of historic fabric which contributes to the character and appearance of the CA.

11. Given the loss of historic fabric and some incongruity in the overall bulk and height of the dwelling compared to the underlying building pattern, I conclude that the development would erode the significance of the CA. This would amount to less than substantial harm, at the lower end of a notional spectrum of such harm.
12. The development would include a small increase in plot size. However, this would be garden area screened from the road, and as such I see no reason to find harm in relation to the character and appearance of the CA in this regard.
13. I acknowledge that the hall does not make a positive contribution to the CA. Nonetheless, I have found harm in relation to the development's design and the loss of at least some of the brick/lia wall. This is consistent with the opinion of the council's internal consultant. The correspondence with Historic England is concerned solely with the setting of the scheduled monuments and does not mention the CA.
14. The development would fail to preserve or enhance the character and appearance of the CA and would therefore fail to accord with S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) in this regard. It would also be contrary to Core Strategy (CS) Policy 14 and Policy DM9 of the Development Management Policies (DMP) which seek to continue to conserve and enhance the district's heritage assets.
15. Paragraph 215 of the National Planning Policy Framework (the Framework) states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against public benefits. This is considered later in my reasoning.

Community Asset

16. The appeal statement notes that there has been marketing of the hall since 2021 but there is no evidence of this before me. The appeal statement also notes that the parish council was interested in both rental and purchase but was unable to reach an agreement regarding price.
17. A marketing exercise has been undertaken since the Council's refusal of the application. This was begun in mid-February 2025 with the premises advertised with a sale price of around £80,000 or an annual rental of £8,000. However, it seems premature to state after a period of less than three months that there is no interest as there clearly has been interest.
18. I note in particular an offer of £60,000 to purchase the hall for use the village hall as a tearoom and delicatessen, as well as another expression of interest from an interested party who went as far as involving builders and surveyors. The offer to purchase the hall for £60,000 has been discounted by the appellant on the grounds that it is non-compliant with community use as well as being speculative. However, normally the use to which a building is put is the responsibility of the buyer, not the vendor. Moreover, the Council notes that it was not approached with a view to

giving guidance on this issue. I acknowledge that some of the listed expressions of interest are somewhat spurious. However, it is also apparent that the appellant considers the pricing to reflect market value and is unwilling to negotiate a lesser price.

19. Planning Practice Guidance states that to define land value, a benchmark value should be based on existing use plus a premium for the landowner. Existing use value should be informed by market evidence. This is an unusual building, in rather poor condition and in a highly rural location and I appreciate that true market value will be difficult to ascertain. Moreover, according to the appellant, it does not have a valid current use, and is described both as *redundant* and *largely derelict*. As such, compared to the stated sale price of £100,000 for a former Victorian school and playground in Cotham, described as a *substantial brick built building*, the market price of around £80,000 for the hall appears optimistic. The marketing report quotes local rural rates as £3 per ft² for storage and £14 per ft² for modern office use. Notwithstanding that the hall does not have an established use for either, and is in poor condition, it is unclear to me how a rental value of £6 per ft² has been established as the market rental value and then used to inform a sale price. Moreover, the marketing report states that the price is based on comparable sales, but then states that there is very little base data on which to base a comparison.
20. Moreover, a tearoom and delicatessen appears to me to have some communal value even if it would not fall within the definition of a community asset as set out in the Framework. Other expressions of interest include the provision of rooms for hire and group activities.
21. The suggestions for future use from people who have expressed interest seem to accord with the expectations of Paragraph 88 of the Framework which supports a prosperous rural economy. In any case there is nothing in SP Policy 8 to suggest that community facilities have to fall within the Framework definition. The appellant states that there has been little interest in the use of the hall over the last few years, but this is disputed by the community who have raised concerns that it has been difficult to get a response from the appellant when they sought to use the space.
22. The appellant appears to have discounted the expressions of interest from the parish council and other interested parties on the basis that there are obligations to the appellant, a charity, to achieve the property's market value. However, there is insufficient information to enable me to conclude that the sale or rental values used in the marketing exercise are truly reflective of the current market. As such, I am unable to conclude that there is no interest in the hall as a potential purchase or rental opportunity which would sustain its community use.
23. With regard to the availability of other facilities, in principle it does not seem unreasonable to me for quarterly parish council meetings to be held in Farndon, and clearly the landowner requires a return and the building needs maintenance. However, the quantum of concern raised by what is a small local community suggests that the village would lose what they clearly see as a local asset and I give this significant weight in my reasoning. Moreover, as set out above, I find the conclusions of the marketing exercise less than compelling.
24. CS Policy 8 requires that the loss of existing community and leisure facilities will not be permitted, particularly where it would reduce the community's ability to meet its day-to-day needs, unless it can be clearly demonstrated that the community use is

no longer feasible, or there is sufficient provision of facilities in the area or alternative provision has been made. Paragraph 88 of the Framework requires decisions to support a prosperous rural economy whether through the growth and expansion of all types of businesses, sustainable leisure and tourism, and the retention of community facilities. In this regard I conclude that CS Policy 8, which predates the Framework by several years, is more prescriptive than the Framework. In line with Paragraph 232 of the Framework, I give CS Policy 8 limited weight in this regard.

25. I acknowledge that CS Policy 8 does not require a development to meet all three requirements set out in the policy to justify the loss of a community facility. However, there is tension between this policy and Paragraph 88 of the Framework. Although there would not be conflict with CS Policy 8, there would be conflict with Paragraph 88 of the Framework which supports rural business, and the retention and development of community facilities.

Highway Safety

26. At my visit I concluded that the existing vehicular entrance is less than 3.6 metres wide as required by the highways guidance¹. There also is inconsistency in the plans² in that the plan and elevation show different lengths of freestanding wall adjacent to the vehicular access. It appears that achieving the required driveway width can only be achieved by reducing the length of the historic brick/lia boundary wall fronting the lane. The swept path analyses do not show the wall at all, and the return section that runs within the site would be removed anyway to accommodate the development.
27. The guidance appears to be silent on whether turning areas are to be accommodated within that 3.6 metres. However, notwithstanding that the swept path drawings show that the space available for manoeuvring in and out of the cart shed would be very constrained, with little margin for error, there is nothing before me to indicate that this would be contrary to guidance. In the event that the appeal was allowed, a condition could impose requirements with regard to surfacing.
28. I conclude that the development would accord with CS Policy 7, DPD Policy DM5, and Paragraph 115 of the Framework insofar as these are concerned with safe and suitable access, and highway safety.

Scheduled Monument

29. The site abuts an area of open field that is part of the Scheduled Monument 'Medieval Settlement and remains of open fields immediately west of East Stoke village'. Historic England has confirmed that the site does not appear to encroach into this designation and nor does the village hall make a positive contribution to the setting of the aforementioned monument or the adjacent Battle of Stoke Field. I see no reason to disagree.

Self-build housing

30. The appellant has suggested that a condition be imposed with regard to self-build housing. This would state that *the dwelling would be constructed as a self-build*

¹ Nottinghamshire County Council, General Geometry of Residential Streets Part 3.1

² Project 0079, Dwg. 05 C Proposed Plans and Elevations

dwelling in line with the definitions of self-build and custom housing in the 2015 Act (as amended by the 2016 Housing and Planning Act).

31. It is usual for self-build housing to be secured by a S106 agreement. In any case, the relevant Act states at S1(A1) that self-build and custom housing means the *building or completion by individuals, associations of individuals, or persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals*. The Act goes on to state at S1(A2) that *it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person*.
32. It seems highly unlikely that the appellant, who represents the trustees of a charity, is going to occupy the dwelling once built. In any case the adjacent cottages also appear to be in the appellant's ownership. As far as I can ascertain the circumstances of this development fall within the criteria of S1(A2) and would therefore fail to meet the requirements for self-build and custom housing. As such, I am not satisfied that the proposed condition would provide a sufficient mechanism to ensure that this development would qualify as self-build or custom housing.
33. The appellant cites Paragraph 73b) of the Framework which sets out that small sites for community-led development can make an important contribution to local housing requirements. However, the weight of objection raised from what is a very small community, suggests that this development is not community-led. Nor is there anything before me to suggest that the site is to be included as a serviced plot on any register held by the Council in this regard.
34. If the development would not be self-build housing there are implications in terms of Biodiversity Net Gain and CIL contributions. However, as I have found harm in relation to main issues there is no need for me to consider this further.

Planning Balance and Conclusion

35. It is not in dispute that the Council does not have sufficient housing land supply. The development would result in one modest dwelling with very limited external amenity space. It would make a very small contribution to local housing supply which has minor public benefit.
36. However, the site sits within a conservation area and in accordance with Paragraph 11d)i) of the Framework, the presumption in favour of development does not apply if the application of policies in the Framework provides strong reasons for refusal.
37. Moreover, even if I concluded that the harm to the CA would be outweighed by the public benefits arising from one small dwelling, I have concluded that there would also be harm in relation to the loss of a community asset. Overall, I conclude that the benefits arising from the development would be insufficient to outweigh the harm identified above.
38. The development would be contrary to the Act, the local development plan and national guidance and there are no material considerations of such weight to lead me to conclude otherwise. The appeal is dismissed.

A Edgington INSPECTOR