
Appeal Decision

Site visit made on 28 October 2025

by K Mee BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2025

Appeal Ref: APP/R1010/W/25/3371087

Meadow View Stables, Newton Road, Tibshelf, Derbyshire DE55 5PH

- 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 Peter Revill against the decision of Bolsover District Council.
 - The application Ref is 24/00401/FUL.
 - The development proposed is described as “to site 2 mobile homes on the land near to the existing house and shop for my 2 sons”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my visit the development was already in place. I have determined the appeal on that basis.

Main Issues

3. The main issues are:
 - a) Whether the appeal site is an appropriate location having regard to local planning policies; and
 - b) The effect of the development on the character and appearance of the surrounding area.

Reasons

Location

4. The Council confirms that the appeal site is located outside of the development envelope defined under Policy SC1 of the Local Plan for Bolsover District (March 2020) (Local Plan). For the purposes of the Local Plan it is within the open countryside. Policy SS9 of the Local Plan is intended to restrict development in the countryside unless it falls within specific categories, one of which relates to the change of use or the re-use of previously developed land. The parties disagree as to whether the appeal site constitutes previously developed land.
5. Previously developed land is defined in the National Planning Policy Framework (the Framework). Amongst other things it encompasses land which has been lawfully developed and is or was occupied by a permanent structure. However, it excludes land that is or was last occupied by agricultural buildings.

6. The appellant states that the land was once used for a plant nursery, on which stood many greenhouse structures. Other reference is made to a horse-riding school, a livery yard and a pet food shop. My observations were that the land is largely grassed over. The evidence before me does not convincingly show the extent of any previous built form, nor that any buildings were not agricultural. Hence, it is not demonstrated that the appeal site comprises previously developed land within the meaning of the Framework. It follows that the proposal would not fall within the exception permitted by Policy SS9 of the Local Plan.
7. The appellant describes the horse-riding school, livery yard and pet food shop as serving the community. Even so, it is not shown that they amount to a community facility as referred to within another permissible exception to Policy SS9 of the Local Plan. Neither is it demonstrated that the proposed mobile homes are an integral part of those operations.
8. It is not part of the appellant's case that the proposal would fall within any of the remaining express exceptions to Policy SS9 of the Local Plan. Accordingly, I find that the location of the appeal site does not provide a suitable location for the development as it would conflict with the development plan strategy to restrict development in the countryside, and conflict with Policy SS9 of the Local Plan.

Character and appearance

9. The appeal site lies at a peripheral part of Tibshelf village, and towards its southern end. At this point the built form peters out, and the proximity and prevalence of agricultural fields, parkland and pockets of woodland becomes more apparent. The character and appearance at this point is semi-rural, with a sense of openness and greenery. This resonates with the identification of the area between Tibshelf and Newton within the Local Plan as an important open break area. In such areas, Policy SS11 of the Local Plan aims to restrict development to that which does not detract from the objective of maintaining an open character which contributes to the separation of settlements.
10. I observed that the appeal site concerned an area of grassed land, which was largely devoid of built form. Therefore, notwithstanding the presence of other nearby buildings, it reinforces the open, rural qualities of the landscape and separation of settlements.
11. The presence of two mobile homes upon the land, owing to their boxy, utilitarian form and associated volume, adversely encroach upon the sense of openness. The activity, domestic paraphernalia, parked vehicles and lighting associated with their occupation exacerbate that harm by diluting the rural qualities of the area.
12. The appellant asserts that the mobile homes cannot be easily seen but agrees that glimpses of them are possible from the Silverhill Trail. In any event, Policy SS11 is not expressly confined to those areas which are widely seen from public points, rather it seeks to maintain the separation of settlements. So, whilst limited visibility from the road may restrict the extent of harm, it does not negate it.
13. Generic reference is made to other large scale residential developments that have taken place in the district, as well as a detached house, garage and workshop built nearby in about 2013. Limited evidence is given in relation to these examples, their nature or the circumstances that led to their construction. It is not shown that any of them related to a defined important open break area in the Local Plan. On the

available evidence, none are directly comparable to the proposal before me, and they carry little weight in favour.

14. Accordingly, the proposal would result in harm to the character and appearance of the surrounding area contrary to Policy SS11 of the Local Plan. It further conflicts with Policy SS9 of the Local Plan which requires new development to respect the form, scale and character of the landscape and Policy SC5 which supports development only where it is in keeping with and enhances the original character of the landscape and where a curtilage can be created that does not adversely affect the landscape character. For similar reasons it runs counter to Policy BE2 of the Tibshelf Neighbourhood Plan 2017-2033 (May 2023) which seeks to ensure that new development in this location respects local character having regard to landscape.

Other Matters

15. The appellant points out personal benefits arising from the mobile homes, including the support provided to family members and the future need for general assistance with maintaining the land and buildings. However, Planning Practice Guidance advises that, in general, planning is concerned with land use in the public interest. Consequently, personal circumstances rarely outweigh development plan policies.
16. In this instance, it has not been sufficiently demonstrated that the proposal is the only viable means of achieving similar benefits. Furthermore, they are likely to be subject to change, whereas the proposal would result in permanent harm. Accordingly, the personal circumstances of the appellant do not lead me to find otherwise overall.
17. I note that Council tax is paid for both mobile homes, however, this does not in itself provide justification for the residential use of the land. This factor is therefore afforded minimal weight.
18. The appellant has referred to their intention in the future to build two bungalows on other land within their ownership, however, these proposals are not before me and are not therefore determinative in my decision making.
19. I also acknowledge that no concerns have been raised by Derbyshire Wildlife Trust, Derbyshire District Council Highway Authority, Coal Authority, Tibshelf Parish Council or members of the public. These are not factors which weigh in favour of allowing the appeal and do not diminish the harm I have found on the main issues.

Conclusion

20. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal should be dismissed.

K Mee

INSPECTOR