



Appeal Decision

Site visit made on 11 February 2026

by **K Savage BA(Hons) MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd February 2026

Appeal Ref: APP/J3015/W/25/3362375

Cloud House, 170 Nottingham Road, Stapleford, Nottinghamshire NG9 8AR

- 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 David Chapman against the decision of Broxtowe Borough Council.
- The application reference is 24/00221/FUL.
- The development proposed is proposed alterations to previously approved agricultural building.

Decision

1. The appeal is allowed and planning permission is granted for alterations to previously approved agricultural building, at Cloud House, 170 Nottingham Road, Stapleford, Nottinghamshire NG9 8AR, in accordance with the terms of the application, Ref 24/00221/FUL, and subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following drawing numbers:
 - Site Location Plan
 - SP/DC/24/1010/1 Rev 1 (Floor Plan and Elevations)
 - SP/DC/24/1010/2 Rev 1 (Site Layout),
 - H457-CHG-00-00-DR-S-0003 Rev P01 (Retaining Wall Details).

Background and Main Issues

2. The application seeks amendments to a previously approved building in the Green Belt. A number of the alterations sought, including windows, appeared to already be installed on site in locations consistent with the plans before me, though it is indicated that external wall cladding has not yet been undertaken. The appeal is thus partly retrospective in nature. However, for the avoidance of doubt, I have based my decision primarily on the submitted plans before me.
3. The appeal site lies within the Green Belt. The main issues in this case are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to relevant development plan policies and the provisions of the National Planning Policy Framework (the Framework);
 - The effect on the openness of the Green Belt;
 - The effect on the character and appearance of the area;
 - If the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether Inappropriate Development

4. The Government attaches great importance to Green Belts. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate unless it forms one of the listed exceptions. This includes buildings for agriculture and forestry. Policy 8 of the Broxtowe Part 2 Local Plan (October 2019) (the P2LP) reflects the approach of the Framework, with certain additional criteria specific to the area, though none are directly relevant in this case.
5. The appeal relates to a smallholding extending to some 1.2 hectares to the south of dwellings on Severals. It includes a dwelling with front and rear gardens and associated outbuildings to the eastern side of the entrance drive. The building to which the appeal relates is located to the west of the dwelling and centrally within the site, across a flat, hard surfaced area leading from the top of the driveway. Beyond this, the site comprises an open field wrapping around the appeal building on three sides. The overall site slopes significantly up from the neighbouring buildings on Severals to a high point on the southern boundary. Established treelines enclose the field to the western, southern and eastern sides.
6. The appeal building measures some 18m wide, 12m deep and 7m high to the ridge of the pitched roof. It has two floors internally; each divided into a number of rooms/spaces. A chicken coop forms one such space to the ground floor, extending out into an external section to the front of the building enclosed by post and wire fencing. The building sits on a flat, re-graded site which has been cut into the sloping ground, with a substantial gabion wall wrapping around the building to the sides and rear to retain the higher ground levels beyond. The flattened area of land extends in front of the building forming a hard surfaced area for access.
7. The Council's reason for refusal describes the proposal as inappropriate development 'due to the overall size and height, materials used and fenestration installed being tantamount to a new dwelling.' However, the delegated report, under the heading 'Principle,' accepts that *'the barn will support the existing smallholding and chicken coop, and therefore can be considered as an exception to inappropriate development.'* It adds that *'through the granting of previous planning permissions reference numbers 21/00420/FUL and 22/00089/FUL the principle of an agricultural development is considered acceptable and established.'*
8. Instead, the Council's specific concern is with the proposed appearance of the building. It states that it would appear *'tantamount to a new dwelling'* and not *'agricultural'* in form and thus not appropriate to the Green Belt. However, this appears to conflate the assessment of whether development is appropriate in the Green Belt with matters of character and appearance. The Green Belt is not, in and of itself, a categorisation of landscape quality, and there is nothing in the Framework which directs that buildings for agricultural use in the Green Belt must have a certain form or appearance to meet the exception to inappropriate development.
9. Inappropriate development in the Green Belt is instead a question of land use. The building was described as being for agricultural use on the application form, and was so described in the preceding planning permissions on the site referenced above. The Council's decision notice for the current proposal sets out a different description of a 'barn' without reference to agricultural use. I have no evidence that

the appellant agreed to this change in the description. Overall, the evidence points to a building proposed for agricultural use and so accepted by the Council.

10. The Council does not ultimately provide evidence that the building is being used, or is intended for use for purposes other than agriculture, including as a dwelling. I assess the design of the building and its effect on the character and appearance of the area separately below, but I do not consider this a determining factor in whether the building amounts to inappropriate development in the Green Belt. On that issue, the evidence is unambiguous that the building is sought as an agricultural building to support activity on the smallholding and this has been accepted by the Council under previous applications and this one.
11. Therefore, I conclude that the proposal would be for agricultural use and so would not be inappropriate development in the Green Belt. There would be no conflict with Policy 8 of the P2LP or the provisions of the Framework.
12. With respect to openness and the purposes of the Green Belt, given my findings that the proposal would not be inappropriate development in the Green Belt, the proposal would, by definition, not have an adverse impact on the openness of the Green Belt or the purposes of including land within it.
13. As the proposal does not amount to inappropriate development, there is no requirement to assess if there are other considerations that amount to very special circumstances needed to justify the development.

Character and Appearance

14. The Council highlights changes to the design and scale of the building across several applications. The first permission (21/00420/FUL) is indicated to have comprised a barn set into the incline of the land, at 6.5m high with a forward facing gable, composite cladding to the walls and raised seam composite to the roof.
15. Later, under permission 22/00089/FUL, the building occupied a smaller footprint set on re-graded land creating a flat surface, still at 6.5m from ground level, but now with side facing gables, galvanised sheets for the walls and fibre cement sheets on the roof.
16. The proposal now comprises a building of 7m in height, again with side facing gables, composed in blockwork with concrete roof tiles, but proposed to add timber cedar sidings to the walls. Windows are shown to three elevations. The Council indicates that the grading of the land and hard surfacing to the front formed part of earlier permissions, but the gabion wall behind the building is a new element.
17. The Council states that the minimal fenestration and proposed materials were important to its acceptance of earlier applications as they gave the appearance of an agricultural building. However, as already indicated, there is no prescription in national policy as to the form of an agricultural building. Modern agricultural buildings may in many cases be large, steel portal framed structures, but this is not a required template and many other agricultural buildings, particularly older ones, come in a variety of sizes, materials and features.
18. The building is substantial in size, but this is a common characteristic of agricultural buildings. The slight increase in overall height compared to previous permissions is not significant, and it would continue to reflect the general shape and massing of the permission granted under 22/00089/FUL.

19. The appellant has introduced windows to the building, which I accept could be seen as domestic in form. However, the windows are to the side and rear and, contrary to the Council's view, I saw that they would have limited visibility from any neighbouring property owing to their orientation, screening by the gabion walls and the considerable difference in ground levels. The most visible element of the building, the front elevation, would continue to have a functional appearance as might typically be expected of an agricultural building, with openings for the extended chicken coop and a single, high roller door for access by large machinery. In these respects, the appearance of the building would not be overtly domestic as alleged by the Council, nor would it otherwise be at odds with its countryside setting.
20. The appellant proposes to clad the existing blockwork walls with timber cedar siding. Although not a natural material, it would have a timber-like appearance and would reflect cladding materials commonly seen in rural areas and on agricultural buildings. It would enhance the overall appearance of the building compared to the untreated blockwork presently in place.
21. The gabion walls represent significant engineering operations, and they may be higher than initially anticipated when re-grading of the land was first proposed. However, they appear to be necessarily at this height to stabilise the land behind the building. The walls are largely screened by the building itself and the fall in the land towards Severals means they are not prominent in views from the neighbouring dwellings below. In any event, the use of natural stone lends the gabion wall a suitable colour that integrates with the surrounding environment.
22. For these reasons, I conclude that the appeal scheme preserves the character and appearance of the area. The Council's reason for refusal does not identify a policy conflict in respect of this issue, but having regard to the policies put to me, I find the proposal would accord with Policy 10 of the Aligned Core Strategy (September 2014) and Policy 17 of the P2LP, which require development to integrate into its surroundings, create an attractive environment, reinforce valued local characteristics and make a positive contribution to the sense of place.

Other Matters

23. The Council alludes to the proposed changes enabling a future change of use away from agriculture with minimal further alterations. Ultimately, as set out above, I have no firm evidence of an intention to use the building for purposes other than agricultural. Other suggestions are speculative. A material change of use would require a separate grant of planning permission. Any change in the site circumstances would be a matter for the Council to look into and determine an appropriate course of action. However, for the purposes of this appeal, I have determined the proposal on the basis it was made.
24. The Council did not identify harm in respect of neighbours' living conditions, notwithstanding speculation regarding impacts if front facing windows were to be added. Having observed the distances to the nearest dwellings, I am satisfied that the proposal would not undermine the living conditions of neighbouring occupants.
25. I have had regard to the comments of the main parties in respect of the sequence of events preceding the appeal, including prior applications and discussions between the appellant and Council officers around a non-material minor amendment application. Ultimately, I have made my assessment on the planning

merits of the proposal, and whilst informative of the planning history of the site, these comments are not decisive to the outcome of the appeal.

Conclusion

26. I have found above that the proposal would not be inappropriate development in the Green Belt, nor would there be material harm in any other respect. Consequently, there is no conflict with the development plan or the Framework and so the appeal should succeed.
27. The development has been commenced and so the standard time limit condition is not required. However, as the proposed wall cladding has not been installed, a condition setting out the approved plans is necessary to provide certainty as to the development permitted.
28. The appeal should therefore be allowed.

K. Savage

INSPECTOR