



Appeal Decision

Site visit made on 22 May 2026

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 May 2026

Appeal Ref: APP/P3040/W/26/3377271

Birdholme Wood, Melton Road, Stanton on the Wolds, Nottinghamshire

NG12 5BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Peter Hinchley of Foxcote Farm Ltd against the decision of Rushcliffe Borough Council.
 - The application Ref is 25/00985/AGRIC.
 - The development proposed is GP Steel portal frame storage barn.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for GP Steel portal frame storage barn at Birdholme Wood, Melton Road, Stanton on the Wolds, Nottinghamshire NG12 5BQ in accordance with the application 25/00985/AGRIC and the details submitted with.

Preliminary Matters

2. Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) permits the carrying out on agricultural land, comprised in an agricultural unit of 5 hectares or more, of works for the erection, extension or alteration of a building which are reasonably necessary for the purposes of agriculture within that unit. Such permitted development rights are subject to limitations and conditions including the limitation that development is not permitted if it would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare (ha) in area.
3. The Council refused the application because it considers that the proposed development is not permitted under Part 6, Class A of the GPDO because, in its view, it would not be carried out on agricultural land comprised in an agricultural unit of 5 hectares or more.
4. Paragraph A.2(2) of the GPDO states that for development permitted by Class A the developer must, before beginning the development, apply to the local planning authority for a determination as to whether its prior approval is required as to the siting, design and external appearance of the building. Given that the Council concluded that the proposed barn was not permitted development, it did not go on to consider whether prior approval was required or whether it should be granted.

Main Issues

5. Considering the above, the main issues are:
- whether the proposed development would be on agricultural land that comprises an agricultural unit of 5 hectares or more, so as to constitute permitted development; and,
 - if it is permitted development, whether prior approval should be granted, having regard to matters of siting, design and external appearance.

Reasons

Whether the proposed development is on agricultural land that comprises an agricultural unit of 5 hectares or more

6. The appeal site is part of an area of land extending to 7.29ha at Stanton on the Wolds, which is largely woodland planted under the English Woodland Grant Scheme (EWGS) and contains a glamping site. The Council's position is that 4.65ha of this land remains in agricultural use, whilst the appellant considers that to be 7.166ha.
7. The appellant also has 43ha of rented land at Tollerton, which the parties agree is approximately 4 miles by road from the Stanton on the Wolds land.
8. The Council acknowledges that an agricultural holding can be formed of separate parcels of land and does not dispute that the two blocks of land, at Stanton on the Wolds and Tollerton, form an active agricultural business. Based on the information before me, I have no reason to disagree. However, the Council considers that the land at Stanton on the Wolds and at Tollerton do not comprise the same agricultural unit, due to the degree of geographical and spatial separation.
9. An 'agricultural unit' is defined in Part 6 of the GPDO, paragraph D.1, as 'agricultural land which is occupied as a unit for the purposes of agriculture'. There is nothing within this definition that supports the Council's position that land with a degree of separation greater than a road or river could not be considered to form an agricultural unit. Furthermore, no compelling evidence has been presented to suggest that the geographical and spatial separation is so great that it would make it impracticable for the land at Stanton on the Wolds and Tollerton to be operated as a single agricultural unit. For these reasons, and in the absence of any evidence that suggests otherwise, I find that, together, the land at Stanton on the Wolds and at Tollerton comprise an agricultural unit.
10. In conclusion, even if I were to agree with the Council that following the introduction of the glamping site, the extent of agricultural land that remains at Stanton on the Wolds would be less than 5ha, the development would, nevertheless, be carried out on agricultural land comprised in an agricultural unit that exceeds 5ha in total. As there is nothing before me to suggest that the development would not comply with any of the other limitations and conditions set out under Part 6, Class A of the GPDO, the scheme constitutes permitted development.

Siting, design and external appearance

11. The proposed development would be sited in a field adjoining Brook Lane containing groups of trees. An area of trees separates it from Melton Road. Additional tree planting between the building and Brook Lane forms part of the submitted details.
12. The building would, therefore, be seen amongst, and largely screened from public views by, trees. It would have a functional appearance and external materials that are consistent with agricultural buildings within the rural character of its surroundings. Consequently, the proposed development would be unlikely to draw attention and would not appear as a dominant or incongruous addition to the landscape.
13. For the above reasons, I conclude that the siting, design and external appearance of the proposed building would be acceptable. Prior approval should therefore be granted.

Conclusion

14. For the reasons given above, I conclude that the appeal should be allowed, and prior approval should be granted.

Elaine Moulton

INSPECTOR