

**TOWN AND COUNTRY PLANNING ACT 1990**

Town and Country Planning (General Permitted Development) (England) Order 2015  
Town and Country Planning (Development Management Procedure) (England) Order 2015  
Town and Country Planning (Control of Advertisements) (England) Regulations 2007  
Town and Country Planning (Tree Preservation) England Regulations 2012  
Planning (Listed Buildings and Conservation Areas Act 1990  
Planning (Hazardous Substances) Act 1990  
Planning and Compensation Act 1991

# Refusal Notice

## Full Planning Application

The application referred to below has been refused by Ashfield District Council.

### Application Details

Planning Reference Number: **V/2025/0530**

Location of Development: **Land to the West of 82A, Lower Bagthorpe,  
Bagthorpe, Underwood, Nottinghamshire, NG16 5HF**

Description of Development: **Self Build Dwelling**

Applicant Name: **Mrs Heather Hall**

**Date:** **06/02/2026**

## **REASONS:**

1. The proposed dwelling represents an inappropriate form of development within the Green Belt and is therefore considered harmful by definition and no very special circumstances have been demonstrated to outweigh the harm that would arise. It would result in a detrimental impact on the openness of the Green Belt due to the siting of the dwelling within a large visual gap which is a prominent characteristic of the area. As such the application is contrary to policy ST1 (a and b), EV1 and ST4 of the Ashfield Local Plan Review (2002) and Part 13 of the National Planning Policy Framework (2024).
2. The proposed dwelling would have a detrimental impact on the character and appearance of the Conservation Area by reducing the visual gap between properties which forms part of the areas distinctive rural character which in turn does not preserve or enhance the character and appearance of the Conservation Area. As such the application is contrary to policy ST1 (a and b) and EV10 of the Ashfield Local Plan Review (2002) and Part 16 of the National Planning Policy Framework (2024).
3. Due to the design, size and siting of the proposed dwelling there would be a detrimental impact on the Conservation Area as the design is not characteristic of the buildings within the vicinity and introduces architectural features which are not in keeping with the character of the area and do not preserve or enhance the character and appearance of the area or provide a positive visual contribution. As such the application is contrary to policy ST1 (a and b) and EV10 of the Ashfield Local Plan Review (2002) and Part 16 of the National Planning Policy Framework (2024).
4. It has not been demonstrated how the proposed access and drive will be carried out without having an impact on the existing trees. In addition to this it has not been demonstrated that a suitable access with provision for surface water will be made available. The application is contrary ST1 (a, b and c) and HG5 (e) of the Ashfield Local Plan Review (2002) and parts 12 and 9 of the National Planning Policy Framework (2024).

## **INFORMATIVE**

For further detail on the decision please see the application report by contacting the Development Section on 01623 457388.

**PROACTIVE WORKING**

The processing of this application has been undertaken in accordance with the requirements of the National Planning Policy Framework 2023.



.....  
**PP. Theresa Hodgkinson**  
**Chief Executive**

## Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.\*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.\*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.\*
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).