
Appeal Decision

Site visit made on 21 March 2017

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 March 2017

Appeal Ref: APP/R2520/W/16/3165778

Land off Main Street, North Kyme, Lincolnshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by S J Padley Farms Ltd against the decision of North Kesteven District Council.
 - The application Ref 16/0319/FUL, dated 20 April 2016, was refused by notice dated 20 July 2016.
 - The development proposed is change of use of agricultural land to third party storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed change of use upon (i) the character and appearance of the countryside; and (ii) the living conditions of the occupiers of nearby dwellings.

Reasons

Character and Appearance

3. The site is currently a portion of field where crops were being grown at the time of my visit. It is adjacent to the edge of the village but outside of the development boundary of North Kyme. There is a haulage yard to one side of the site but the other three sides are next to fields. Given that the site is a field, is mainly surrounded by fields and is outside of the development boundary, it falls within the open countryside.
 4. The proposal would introduce hard surfacing, dark green containers for self-storage, caravans, CCTV columns and fencing. This would change the appearance of the site from countryside to industrial. Whilst some screening of the site is evident and further screening is proposed, this would not overcome the actual loss of the landscape.
 5. I therefore conclude that the proposal would harm the character and appearance of the countryside. Consequently, there would be conflict with North Kesteven Local Plan (LP) Policies C2, C18 and E4 which seek to protect the character and appearance of an area, including the countryside. It would also conflict with Paragraph 17 of the Framework which says that planning should recognise the intrinsic character and beauty of the countryside.
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Living Conditions

6. The storage facility would be situated some distance away from the nearest residential properties and had I been allowing the appeal, planning conditions could have been used to ensure that people would not access the facilities late at night and early in the morning.
7. I therefore conclude that the proposal would not harm the living conditions of the occupiers of nearby dwellings. Therefore, I find no conflict with LP Policy C5 which seeks to protect residential amenity.

Other Matters

8. The appellant has queried the Council's application of LP Policy E4. This indicates that planning permission will be granted for new development for employment uses, including B8 uses, only if a countryside location is essential and the development could not be located in an existing employment area or on land within a settlement. In addition, other criteria would need to be satisfied, including that the development would be of a scale appropriate to meet identified local employment needs; it would contribute to the rural economy of the area; and it would protect the quality and character of the countryside.
9. The appellant asserts that the development could not be located within a settlement or on nearby employment sites as the amount of land required would make the facility too expensive. However, in spite of the supportive comments of the Council's Economic Development Officer, no detailed market or business evidence has been presented to me in this respect and I have little to convince me that a countryside location is essential for a self-storage facility. Furthermore, no information has been put forward to demonstrate how the self-storage facility would meet identified employment needs. Notwithstanding this, I have already found that the proposal would not meet the criteria of Policy E4 as it would harm the character and appearance of the countryside and for this reason, and those above, I consider that the Council applied Policy E4 correctly.
10. The appellant has drawn my attention to LP Policy E6 which indicates that planning permission will be granted for non-agricultural business uses on farms. However, whilst I find no direct conflict with this policy, I find conflict with other development plan policies.
11. The appellant says that the site gives poor agricultural yields because of various factors but this does not justify the harm to the countryside.
12. I note the appellant's comments that pre-application discussions were held with the Council which did not indicate that the proposal might be unacceptable. However, whilst I understand the appellant's frustration in this regard, I must determine the appeal based on the planning merits of the case rather than the alleged behaviour of the Council. I have taken into account all other matters raised but none outweigh the conclusions I have reached.

Conclusion

13. Although I find no harm to living conditions, I find substantial harm to the character and appearance of the countryside. There are three strands to sustainable development, economic, social and environment but the proposal is not environmentally sustainable. For this reason, and the consequent conflict with the development plan as a whole, the appeal is dismissed.

Siobhan Watson

INSPECTOR