
Appeal Decision

Site visit made on 12 November 2019

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 03 December 2019

Appeal Ref: APP/C1760/W/19/3235629

Shorts Farm, Scallows Lane, West Wellow, Romsey SO51 6DX

- 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 Mrs Moody against the decision of Test Valley Borough Council.
 - The application Ref 19/00254/FULLS, dated 2 February 2019, was refused by notice dated 28 June 2019.
 - The development proposed is described as change of use from agricultural to B8 (storage and distribution).
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Decision

1. The appeal is allowed and planning permission is granted for change of use from agricultural to B8 (storage and distribution), at Shorts Farm, Scallows Lane, West Wellow, Romsey SO51 6DX, in accordance with the terms of the application Ref 19/00254/FULLS, dated 2 February 2019, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plan: 16049-PL-300.
 - 2) No more than 58 vehicles shall be stored on the site at any one time.

Procedural Matters

2. The change of use has already occurred. Whilst this has helped to inform my assessment of the scheme's impact, I have based my decision on the plan submitted.

Main Issues

3. The main issues are:
 - whether the site is a suitable location for the development, having particular regard to its effect on the character and appearance of the countryside; and
 - the effect of the development on the safe and efficient use of the highways.

Reasons

Countryside

4. Policy COM 2 of the Test Valley Borough Revised Local Plan DPD: Adopted Local Plan 2011-2029 Adopted 2016 (the Local Plan) seeks to direct development to within defined settlements. The Local Plan identifies these on the basis of their character, population, and the services and facilities available within, and

accessible to them. As the site lies outside the nearest defined settlement of West Wellow, the Council partly refused planning permission on the basis that it had not been demonstrated that a countryside location was essential. In this regard, and given that the proposal does not involve housing, the Council's principal concern is that the development harms the countryside.

5. The immediate setting of the site already hosts authorised commercial uses, including valet facilities, which are used in relation to a van centre located on the A36. The distance between is relatively short, taking a matter of minutes to drive, and part of the route is accounted for by West Wellow. As the appeal scheme relates to the storage of vans on the site, also in relation to the van centre, the development is well related to existing uses.
6. The van centre is itself located outside the West Wellow settlement boundary, albeit at a much lesser distance than the site. Be that as it may, the business therefore currently operates wholly within the countryside.
7. Given that West Wellow is itself a reasonably small village, it does not appear to offer any realistic capacity for the storage of vans within its boundary. Bearing in mind the location of the van centre, no other nearby settlements have been identified which might offer a practical alternative. As such, and in view of my findings above, it is reasonable to consider that a countryside location is essential for the use in question.
8. The site is reasonably well screened by vegetation. On this basis the Council's officer report acknowledges a lack of visual impact on the public realm, and compliance with policies which seek to protect the landscape. Indeed, regardless of the particular history of the site and land adjacent, the development is not perceived as representing an encroachment into the countryside.
9. The development has resulted in an increase in the number of vehicles using the route between the site and the van centre. However, based on the evidence set before me, the number of such movements is relatively small. Taking into account the short distance between the site and the van centre, and the even shorter part of this route which actually occurs within a wholly rural setting, it is likely that any significant harm has been caused. This includes through the generation of noise.
10. For the reasons outlined above I conclude that the site is a suitable location for the development, and that its effect on the character and appearance of the countryside is acceptable. It therefore complies with Policy COM2, which seeks to restrict development outside the boundaries of settlements.

Highways

11. The traffic impact of the development has been considered as immaterial by the Highways Authority (the HA) based on the levels of site usage recorded in the appellant's Technical Note (the TN). The officer report notes that this involved no more than 58 vans. Though I acknowledge that interested parties dispute the validity of the TA, I see little reason to question the HA's view with regard to traffic impact.
12. Notwithstanding the fact that more than 58 vans could fit within the site area, and indeed evidence that more than 58 vans have been stored on the site in the past, the appellant has not sought to make a case for storage of more than

58 vans on the site in the future. This is regardless of the marketing materials referenced by the Council which suggest a high turnover of stock. Indeed, the appellant has accepted the HA's suggestion that a condition should be imposed limiting the level of storage to 58 vans. In my view such a condition would be reasonable given that this is the level at which the evidence presented demonstrates that the highways impact would be acceptable. I note that the Council considers that the condition would be difficult to enforce. However, I see no reason why the number of vans stored at the site could not be simply checked when required.

13. In some circumstances, such as involving a customer delivery, a van might leave the site and use lanes other than those linking it with the van centre in order to reach its destination. There is indeed no restriction on where a van might travel, or what public roads it might take. This would however be the case wherever the site was located. Furthermore, it would be equally applicable to vans leaving the van centre for delivery. As such, I see no reason to consider that there would be any adverse effect on the safe or efficient use of the highways in the broader area as a result of deliveries being undertaken directly from the site.
14. Interested parties have drawn attention to accidents and HGV movements in the area. However, the details are limited, and direct relevance to the site is unclear. Furthermore, neither is referenced by the HA. As such, my findings above are unaltered.
15. For the reasons outlined above I conclude that, subject to the imposition of a condition limiting the level of van storage, the development would not have an adverse impact on the safe and efficient use of the highways. It would therefore comply with Policy T1 of the Local Plan which amongst other things states that development will be permitted provided that it does not have an adverse impact on the function, safety and character of and accessibility to the local or strategic highway network or rights of way network.

Other Matters

16. Shorts Farm House, which is a Grade II listed building, stands adjacent to, and within the same parcel of land as the site. I have therefore had special regard to the desirability of preserving the setting of the building. The significance of the building resides in its age and vernacular architecture, with the thatched roof a particularly notable feature.
17. The bulk of the site is located some way to the rear of the back garden attached to the Shorts Farm House, and there is little inter-visibility between. Though vans using the site pass by the house, this is similarly true of vehicles accessing previously approved uses which lie adjacent to it. As such, at the assessed levels, additional vehicle movements related to the development would have little obvious impact on the ability to appreciate the significance of the building, or therefore harm its setting.
18. Interested parties have raised concerns in relation to pollution arising from waste water run-off. These concerns are not shared by the Council. In view of the fact that these concerns also appear to relate to established uses adjacent to the site, rather than the development in question, I see no reason to disagree.

Conditions

19. I have not imposed a condition setting out the time period for commencement of the development in view of the fact that it has already taken place. I have however imposed a condition identifying the approved plan for sake of certainty.
20. I have imposed a second condition limiting the number of vans to be kept on the site to the level assessed within the TN. This is in the interests of highways safety. Though the Council's suggested wording also makes reference to the possibility of varying this condition in writing, the appropriate course of action in that instance would be to submit a further planning application. I have therefore omitted this wording.

Conclusion

21. For the reasons set out above I conclude that the appeal should be allowed.

Benjamin Webb

INSPECTOR