The Planning Inspectorate

Appeal Decision

Site visit made on 11 November 2019

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 January 2020

Appeal Ref: APP/Y3940/W/19/3235201
Eastcroft Farm, B3098 High Street North East to Witchell Lane, Eastcroft SN10 4PJ

- 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 Mr Steven Martin of Smart Pyrotechnics Ltd against the decision of Wiltshire Council.
- The application Ref 19/03418/FUL, dated 16 November 2018, was refused by notice dated 26 June 2019.
- The development proposed is described as *'Change of Use: allocated section of existing livestock field to change to B8 to situate ISO Shipping containers to store fireworks under local authority approval (Trading Standards licence no. LN/000012499) Plot to contain 1no. 40ft Container, 3no. 20ft Containers, 1no. 30ft Process Steel Cabin & 1no. 10ft Steel Cardboard store. The area will include parking for 4no. cars and 4no. vans in a loading area adjacent to the storage containers on a stoned hard standing. Access is through main farm entrance and a concrete slip road leading directly to this area. All containers/cabins are painted green to blend in with the surrounding landscape with a raised earth bund on 2 sides of the plot (U1 Waste Exemption WEX133995) Rain canopies installed over 3no. 20ft Containers and the 30ft Cabin with an additional concrete pad for personnel access in front of the 30ft Cabin. Carpark, van loading areas and personnel footpath are separated and marked using wood divisions (Logs).'*

Decision

1. The appeal is dismissed.

Procedural Matter

2. On site I observed that the operational development described in the development description has been carried out and the land was in use for the storage of fireworks. I assessed the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal relates to a commercial firework storage facility which has been established on farmland to the north of the buildings at Eastcroft Farm. The site contains a simple processing structure and cardboard store, a chemical toilet, an external, covered storage area, storage containers and a yard, the latter of which are partly enclosed to the south and west by bunding.

5. The agricultural land within which the site is located is characterised by its openness, near absence of built form and its reposeful topography. The site is

somewhat distant from the main grouping of farm buildings at Eastcroft, to the extent that it appears prominent and visually isolated within this exposed area of countryside. Consequently, despite the green colour of the containers, the utilitarian storage facility reads as an incongruous addition to its environment.

6. This is apparent from EAST17, which is a Public Right of Way (PROW) to the south. I note comments with regard to the integrity of the PROW in the vicinity of new development, and it may well be that the PROW is infrequently travelled. However, it retains its status as an accessible public vantage point from which the harmful effects of the development are perceptible.

7. Whilst the bunding provides some screening, the structures remain visible above and around it, and the bunding has an inherently contrived appearance itself, at odds with the otherwise open and gently undulating landform. For the same reasons, tree planting and/or the addition of timber cladding would not successfully mitigate the facility within the landscape.

8. I note the appellant's comments with regard to the lack of agricultural use of the field within which the site is located, owing to its propensity to flood. However, the field nonetheless contributes to the open and natural character of the landscape, and therefore any limitations to its agricultural potential do not justify the harm I have identified.

9. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the area. It would conflict with the relevant aims of Policies CP34, CP51 and CP57 of the Wiltshire Core Strategy (adopted 2015) (CS) and the National Planning Policy Framework (the Framework).

Planning Balance

10. I appreciate that the nature of fireworks limits potential locations for storage. The site is safe, licensed, secure, has vehicular access and benefits from security supervision from Eastcroft Farm. In these respects, I agree that this is a well-considered location for the enterprise, which also provides local employment. However, taken together, these matters do not outweigh the harm I have identified in relation to the character and appearance of the area.

11. Reference is also made to wildlife benefits. However, no substantive evidence of such has been provided, and this matter has therefore carried very limited weight in my assessment.

12. I therefore find that the scheme conflicts with the development plan when read as a whole. There are no other considerations, including the Framework, which outweigh this harm.

Conclusion

13. For the reasons outlined above, and taking all matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR