

Appeal Decision

Site visit made on 27 January 2020

by Mrs H Nicholls MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2020

Appeal Ref: APP/Q1153/W/19/3239298

**Higher Wilminstone Farm, Road Past Wilminstone Farm, Wilminstone
PL19 0JT**

- 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 T Faircloth against the decision of West Devon Borough Council.
 - The application Ref 4122/18/FUL, dated 14 December 2018, was refused by notice dated 17 April 2019.
 - The development proposed is change of use of an agricultural field to the storage of cars and caravans.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, the appeal site was being used for the parking of vehicles which I understand did not belong to the appellant and which were subject of enforcement action by the Council.
3. The description of development is taken from the appeal application form and refers to the storage of caravans. The submitted planning statement clarifies that there would be no caravans stored on the site and that up to 20 vehicles would be stored. I shall proceed on this basis.

Main Issues

4. The main issues are:
 - the effects of the proposal on the character and appearance of the area; and
 - whether the proposal would be harmful to the living conditions of neighbouring occupiers or prejudicial to highway safety in relation to the increased vehicular movements.

Reasons

Character and appearance

5. The appeal site comprises a grassed field surrounded by timber post and rail fencing which slopes downwards in an easterly direction. An access track with loose stone chippings runs around the outer edges of the fencing. Tree cover is limited to the outer hedgerows. A bund has been constructed a short distance to the south-east on land outside of the appeal site but within the appellant's

- ownership. This bund appears to correlate with that shown as a 'Bund to be planted' on the submitted block plan.
6. There are a number of dwellings and a large agricultural-style building to the north-east which limit views into the site from nearby rural roads, generally situated at a lower level to the north-east. There is also an excavated and levelled area immediately to the east of the site, which I understand has been prepared to accommodate an agricultural building that has not yet received planning permission.
 7. Whilst the site cannot be considered strictly isolated due to its proximity to existing buildings and dwellings, the appeal site itself is a largely undeveloped sloping agricultural field in the countryside. Whilst the proposal would maintain the hedgerows which are characteristic of the Inland Elevated Undulating Land character type¹, the introduction of a substantial number of vehicles would not protect the perceptions of tranquillity and remoteness that is advised for this area within the guidelines². Rather, the proposed use of the site for the parking of vehicles on elevated undeveloped agricultural land would have an urbanising effect on the character and appearance of the area.
 8. The surfacing of the car parking area, albeit with an unspecified material inclusive of oil interceptors, would also result in a substantial and permanent change to the landcover, from a grassed field which assimilates well within its landscape context, to a large swathe of hardsurfacing that would far exceed the area required for 20 vehicles. Notwithstanding that there may be other areas of hardsurfacing in the surrounding area, the hardstanding would appear excessive in scale, irregular in its setting and would be visually harmful in longer views from similarly elevated parts of Dartmoor National Park.
 9. I note that there are limited close range public vantage points that allow views towards the site. There is reference to an agricultural building with planning permission that would also further screen the site but there is limited evidence to suggest where specifically this would be constructed or how effective it would be in this regard. I also note that supplemental planting could be introduced, and that the bund may play a role in limiting some views towards the site. However, even when considered collectively, these mitigation measures do not justify the construction of a discordant largescale hardsurfaced area and its use for car storage purposes in this otherwise attractive landscape.
 10. In view of this main issue, the proposal would harm the character and appearance of the area and would therefore be contrary to, in particular, Plymouth and South West Devon Joint Local Plan (2019) (JLP) Policies TTV26 and DEV23 which collectively seek to protect the special characteristics and role of the countryside. For similar reasons, the appeal proposal would also conflict with guidance set out in the National Planning Policy Framework ('the Framework').

Neighbouring occupiers and highway considerations

11. The route from the A386 to Higher Wilminstone Farm comprises typically narrow rural roads, with gradual narrowing and incline in the vicinity of the

¹ as defined by the Landscape Character Assessment for South Hams and West Devon (2017)

² Landscape guidelines under the Landscape Character Assessment for South Hams and West Devon (2017)

appeal site. The access route passes a number of dwellings in separate ownership in the vicinity of the appeal site.

12. The proposal is promoted as an area for the parking of the appellant's vehicles with little indication of the frequency with which any of the up to 20 vehicles would need to enter and leave the site. I do note from the evidence that the site was previously managed as a farm, and that there are some self-storage uses on other parts of the wider planning unit. However, there is limited evidence in relation to the number of vehicle movements that would allow for an assessment of the capacity of the local road network to accommodate the anticipated traffic flows, or evidence to suggest that the potential additional noise and disturbance of neighbouring occupiers has been considered.
13. Though conditions may be used to prohibit the storage of caravans and to prevent any repair, maintenance or sale of vehicles from taking place on the appeal site, the suggested limit of 20 stored cars would still generate the potential for the frequent movements of vehicles. In the absence of evidence to the contrary, there would still be the potential for disruption to the free flow of traffic on the narrow rural roads leading to the site and increased noise and disturbance for neighbouring occupiers from the unrestricted movement of such a volume of vehicles in close proximity to their homes.
14. In view of this issue, and in the absence of evidence to the contrary, the proposal would be harmful to the living conditions of neighbouring occupiers and would cause prejudicial effects on highway safety. The proposal would therefore be contrary to, in particular, JLP Policies ST1, DEV1, DEV2 and DEV29. Read together, the aforementioned JLP Policies collectively seek to ensure that developments do not cause detrimental impacts to other communities and ensure that existing residents are protected from noise disturbance and other harmful effects. For similar reasons, the proposal would also conflict with the policies of the Framework.

Other Matters

15. I acknowledge that the site may not comprise best and most versatile agricultural land and that the submitted Ecological Impact Assessment Report concludes that the proposal would not harmfully affect any habitats or species of ecological interest. These are neutral factors in the overall balance.
16. Reference has been made to an appeal decision³ relating to a nearby site which involved a change of use of agricultural land to form a domestic garden. I have noted the conclusions reached by my colleague in that particular case but they do not alter my findings in respect of this proposal which is very different in scale and nature.
17. The appellant refers to JLP Policy ED21 which relates to rural diversification. It is claimed that the proposal would complement an existing business. Notwithstanding that there is reference to a permitted storage use within the existing building nearby, there is no specific link drawn to it or any other business, nor any specific proven need for it to be sited within the countryside. Furthermore, the proposal is also explicitly referred to as a car storage area solely for the benefit of the appellant which limits any potential economic benefits to the wider area. As such, I attribute negligible weight to this factor.

³ APP/Q1153/W/19/3223930

18. A number of planning conditions have been put forward by the appellant that might be attached to a planning permission if the appeal were to be allowed. Whereas all the conditions – adapted or revised as appropriate, along with others suggested by the Council – could be seen to be reasonable and necessary, they would not overcome the harms which I have identified.

Planning balance and conclusion

19. The proposal conflicts with the Development Plan and the Framework when read as a whole. No other considerations of sufficient materiality have been put forward that outweigh the identified harm and associated policy conflict.
20. For the reasons given above, the appeal is dismissed.

Hollie Nicholls

INSPECTOR