



Appeal Decision

Site visit made on 6 February 2020

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2020

Appeal Ref: APP/L3815/W/19/3230672

Black Field Barn, Marsh Lane, Merston, Oving PO20 1EE

- 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 Claudia and Victoria Langmead against the decision of Chichester District Council.
 - The application Ref O/19/00269/FUL dated 28 January 2019, was refused by notice dated 22 May 2019.
 - The development proposed is change of use from agriculture to a mixed use comprising of agricultural storage and the storage of up to 10 vintage cars.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from agriculture to a mixed use comprising of agricultural storage and the storage of up to 10 vintage cars at Black Field Barn, Marsh Lane, Merston, Oving PO20 1EE, in accordance with the terms of the application, Ref O/19/00269/FUL, dated 28 January 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2018/14/01, 2018/14/02, 2018/14/03, 2018/14/04, 2018/14/05, RA/004/03 and 100035207.
 - 3) The vehicle storage use hereby permitted shall be limited to a maximum of 10 vehicles at any one time.
 - 4) The vehicle storage use hereby permitted shall be used for no other purpose including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Application for costs

2. An application for costs was made by Claudia and Victoria Langmead against Chichester District Council. This application is the subject of a separate Decision.

Procedural Matters

3. The description in the banner heading above differs from that on the planning application form. It accords with the description on the decision notice and appeal form and has been agreed between both main parties.

Main Issue

4. The main issue is whether the appeal site is a suitable location for the storage of vintage vehicles, having regard to objectives to minimise the need to travel.

Reasons

5. The appeal site is located in open countryside at Merston. The proposal is a farm diversification scheme to use the barn for a mixed use comprising the storage of up to 10 vintage cars in addition to agricultural storage.
6. The Council's strategy with respect to the location of new development in the countryside is set out in Policies 2, 45 and 46 of the Chichester Local Plan: Key Policies 2014 – 2029 (CLP), which are broadly consistent with the National Planning Policy Framework (the Framework) aims of promoting sustainable development in rural areas and building a strong, competitive economy. Policy 2 states that development in the 'Rest of the Plan Area: Small Villages, hamlets, scattered development and countryside' is restricted to that which requires a countryside location or meets an essential local rural need or supports rural diversification in accordance with CLP Policies 45 -46. I find that, as a farm diversification scheme, the proposal falls within the latter of the three categories.
7. CLP Policy 45 confirms that, within the countryside, development will be granted where it requires a countryside location and meets essential, small-scale, and local need which cannot be met within or immediately adjacent to existing settlements. Storage of vehicles does not require a countryside location, and no essential local need has been demonstrated for the proposal. As such the appeal scheme does not accord with Policy 45. Since this is a permissive policy, this in itself, does not necessarily mean that permission must be refused.
8. CLP Policy 46 refers specifically to proposals for alterations, change of use and/or re-use of existing buildings in the countryside outside the designated settlement boundaries. The supporting text to the policy confirms that the conversion of rural buildings can help sustain the rural communities and aid economic diversification of rural areas without creating a need for new buildings. As such, the appeal proposal, as described above, fits with the objectives of this policy. Policy 46 gives positive support for the re-use of buildings in the countryside, subject to meeting 6 criteria. The Council does not dispute that it meets these 6 criteria.
9. Accordingly, as a result of my findings above, I have come to a different view to that of the Council in respect of CLP Policies 2, 45 and 46. I find that the proposal comprises a form of development which is supported by these policies and the objectives of the Framework to support a rural economy, and that, there is no requirement for the appellant to demonstrate that the proposal requires a countryside location and that there are no other suitable alternative sites within the settlement boundary or adjacent to it.

10. The Council's refusal reason also refers to an increase in vehicle movements and a high dependence on the use of a private motor car which would represent an unsustainable form of development. In addition to the CLP policies referred to above, the Council's reason for refusal references CLP Policy 8, which states that the Council will work with the County Council and other transport and service providers and developers to improve accessibility to key services and facilities and to provide an improved and better integrated transport network. I concur with the view of the appellant that this is a strategic policy which aims to reduce travel by car by making alternative means of transport available. However, Policy 8 confirms that this objective includes ensuring that new development is well located and designed to minimise the need for travel and encourages the use of sustainable modes of travel as an alternative to the private car.
11. During my site inspection, I observed that the road from the nearest bus stops on the A259 at the northern end of Marsh Lane, to the site, although unlit and without pavements, is subject to a 30mph speed limit and has a grass verge along much of its length. This, together with well-developed and frequent bus services including to Chichester, Havant, Portsmouth, Littlehampton and Bognor Regis, means that it would not be unreasonable to expect that persons storing their cars at the site would travel to the site via bus. I also observed that there is a cycleway/footway adjacent to the A259, and there are railway stations at Chichester and Bognor Regis, so that access to the site by cycling is also a feasible option.
12. Moreover, having regard to factors such as the small-scale nature of the car storage, comprising up to a maximum of 10 cars on the site, the proposed 'by appointment only' method of customer access to the site, and the anticipated focus of vintage vehicle use around specific events, including those at Goodwood Motor Circuit, I find that additional traffic movements associated with the proposed vehicle storage are likely to be low. As such, the proposal would not result in a materially harmful increase in vehicle movements or dependence on the use of private motor vehicles in this rural location.
13. For the reasons set out above, I therefore conclude that the principle of the appeal proposal is acceptable, and that the proposed development would provide a suitable location for the mixed use comprising agricultural storage and the storage of vintage vehicles, having regard to the reliance on private motor vehicles and local and national planning policy in respect of development within the countryside. As such, the proposal would accord with Policies 2, 8 and 46 of the CLP. These policies, amongst other aims, support rural diversification through the conversion of existing rural buildings, where the proposal is complementary to viable agricultural operations on a farm, and require new development to be well located and designed to minimise the need for travel and encourage the use of sustainable modes of travel as an alternative to the private car.
14. The proposal would also accord with policies within the Framework which require significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (Paragraph 80) and support a prosperous rural economy (Paragraphs 83 and 84). Paragraph 83 specifically encourages the sustainable growth and expansion of all types of business in rural areas, including through the conversion of existing buildings, and the development

and diversification of agricultural and other land-based rural businesses. Paragraph 84 acknowledges that sites to meet local business needs in rural areas may have to be found beyond existing settlements and in locations not well served by public transport, provided it is sensitive to its surroundings and does not have an unacceptable impact on local roads. The development would also accord with paragraphs 117 and 118 of the Framework which encourage the effective use of land and multiple benefits from rural land, including through mixed use schemes and the development of under-utilised land and buildings.

Conditions

15. I have considered the Council's suggested conditions in accordance with Paragraph 55 of the National Planning Policy Framework and the National Planning Practice Guidance. In addition to the standard implementation condition, it is necessary to define the plans for certainty. Conditions are required to restrict the number of vehicles stored to a maximum of 10 at any one time and restrict the approved vehicle storage to that use only. This accords with the details of the planning application and the nature of the development as a farm diversification scheme to support the existing agricultural use of the site. Whilst I have found the amount of vehicle storage not to be harmful, any increase above this, or change to a different type of storage, would need to be assessed against relevant local and national planning policies which seek to minimise travel by means of private motor vehicles in countryside locations such as the appeal site, and to protect the living conditions of the occupiers of neighbouring residential properties and the rural character of the site.

Conclusion

16. For the reasons given above, I conclude that the appeal should be allowed and planning permission be granted subject to conditions.

S Leonard

INSPECTOR