



Appeal Decision

Site visit made on 28 June 2022

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2022

Appeal Ref: APP/W0530/W/21/3285603

Horse And Groom, Baldock Road, Steeple Morden SG8 9NS

- 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 UKPO Ltd and Cam Store Ltd against the decision of South Cambridgeshire District Council.
 - The application Ref 21/00684/FUL, dated 09 February 2021, was refused by notice dated 28 September 2021.
 - The development proposed is to demolish existing building and erect B8 self-storage unit with ancillary office.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. During the determination of the planning application, revised plans were submitted to the Council for consideration, which showed a reduction in the ridge height of the proposed building unit by about 1m to 10.6m. The appeal has been considered on this basis.

Main Issues

3. The main issues are the (a) the effects of the proposal on the character and appearance of the area; (b) whether the development would be in a sustainable location, having regard to the need to travel and the offering of a genuine choice of transport modes; (c) protected species and (d) the use of the proposed access/exit on the safety of highway users using the storage facility and the A505.

Reasons

Character and appearance

4. The appeal site comprises a derelict former public house, hard surfaced areas previously used for car parks, access/exit onto the A505, and overgrown garden areas that served the establishment. On the roadside, the public house has a derelict rundown appearance, with missing external roof materials and graffiti damage. The access lane into the site has been stopped up with an earth mound and a pole mounted powerline crosses the site. Apart from the public house building, it is mainly flat and open and has attractive hedgerows and trees alongside its boundaries, varying in height and extent.

5. The surrounding landscape is flat and open, with agricultural fields, and scattered development around it. The exception is the Therfield Heath/ King's Ride gallops that form an escarpment south of the A505 and the site. Within this area, there are buildings at Jockey House Cottages, King's Stables and Thrift Farm. A public footpath follows the access road to Thrift Farm and then branches off through the Therfield Heath/King's Ride gallops area. To the north of the site and A505, there are mainly agricultural fields, as well as the busy London Cambridge railway. Approaching the site on the A505 on the eastbound carriageway, there is a garden and dwelling at Thrift Farmhouse, mainly enclosed with vegetation, and past the site, there is agricultural land and the western edge of Royston, including sports fields and golf course. There is a dense landscaped central reservation separating the eastbound and westbound carriageways of the A505.
6. Under Natural England's National Character Assessment (NCA) profiles 2014, the site is located within the East Anglian Chalklands. Key features are distinctive, open, and generally rolling landscape dominated by modern arable farming, which is sparsely populated, with villages occurring where springs and small streams occur. The Cambridgeshire Landscape Guidelines 1991 and South Cambridgeshire District Design Guide Supplementary Planning Document 2010 also sets out the area to be designated as the Chalklands, broadly consistent with the NCA profile.
7. Over time, settlement patterns have evolved but in the vicinity of the study site, development is limited to scattered farms and buildings, many with landscaped boundaries. The area is not within an Area of outstanding Natural Beauty and there are urban influences, the road and the railway line within the area. Nevertheless, the escarpment, the flat and open countryside, and the agricultural usage of the land are features and qualities that predominate. Accordingly, there are distinctive rural features and qualities, which are significantly attractive. Despite its boundary vegetation, the appeal site makes an overall negative contribution to the landscape character and appearance of the area due to the public house's dereliction.
8. Nevertheless, the replacement building would be of a substantial width, depth and height, with a square shaped footprint and box-like form. This would give rise to a great mass of development. The contrasting tones of the building's cladding and glazing would do little to break up the building's mass as they are restricted to the building's frontage. Moreover, the horizontal emphasis provided by the overhanging roof canopy, position of windows and roller shutters, would highlight the extensive width and size of the building. Remaining walled elements would be oppressive, with no variation in colour and little detail to break up their appearance. Importantly, the building would have a significant box-like form with little articulation to break up its mass, for instance meaningful step backs to wall and roof elements, and an industrial appearance due to its frontage design and the remaining mainly bland elevations.
9. The appeal building's large size, form and design would have little in common with agricultural barns found in open settings, such as this. Such a size, scale, and mass of development would result in an overwhelming stark and dominating building on the site. In contrast, the former public house building is more varied in form, shape and scale, with lower storey extensions and additions, breaking up its mass and scale, and would have had a traditional

appearance in keeping within its rural context. Around the building, yard and parking areas, there would also be a 2m high security fence which would add further to the dominating impression of the development. There are permitted development rights for boundary fences but the proposed design and location of the fencing would be an integral part of the new development before me and as such, has to be considered as part of it.

10. There is existing landscaping along the boundaries of the site, including a thick hedgerow and trees adjacent to Thrift Farmhouse. Additional landscaping is proposed along the boundaries where it is sparser, and around the fencing. Alongside the roadside boundary, vegetation would be removed and replaced around the building. The vegetation within the central reservation of the A505 is dense and high. However, new landscaping takes time to become established and effective, especially given the size of the development. On the road frontage, there would be little space between the exit slip road and fencing to establish any meaningful landscaping to screen it. There is no guarantee that existing vegetation would remain in perpetuity, because it can disappear for any number of reasons, such as disease, weather, safety needs or accidental damage. During winter, the development would further be exposed due to the deciduous nature of the exiting vegetation.
11. The appellant's Landscape and Visual Impact Assessment (LVIA)¹ concludes an overall slight landscape impact, after considering site, immediate setting and wider setting factors. However, the LVIA downplays the magnitude of change, scale of effect and overall impact for landscape and the magnitude of effects and impacts for visual, even after taking into account the fact that it considered the pre-amended scheme. In this regard, the storage unit would be of a substantial size significantly greater in size, height, scale and mass than the existing public house building and markedly different in shape and design.
12. Planning permissions have been granted for two restaurants with a drive thru' facility, one drive thru coffee shop, and a children's play area in February 2018 and a petrol filling station, drive-thru coffee facility and children' splay space in September 2019. Both schemes showed considerable hard surfaced areas whilst the proposal shows greater landscaped areas along the northern boundary.
13. The 2018 planning permission has now expired and there is no evidence before me that a lawful commencement of development has commenced. Notwithstanding this, these planning permission buildings would be markedly smaller in size, scale and mass than the proposed building and would also have been dispersed around the site. They would also have less extensive areas of security fencing. Even taking into account, the greater scope of additional landscaping on the appeal site, these schemes would have been less intrusive as a result. For all these reasons, the new building and fencing would result in a far more dominating and urbanising form of development and the magnitude of change, scale of effect and impact would be far greater in terms of the landscape assessment. The value of mitigation planting would also be limited for the reasons indicated.
14. Visually, the new building would be set back away from the A505 compared to the public house building. Amongst the viewpoints identified, the LVIA details

¹ Landscape and Visual Appraisal for new roadside development at the Horse and Groom site, Royston, South Cambridgeshire, Richard Morris Associates, Revised / Reissued February 2021.

the A505, a layby on the westbound carriageway of this highway and the footpath on Therfield Heath/King's Ride gallops. Similarly, the assessed level of impact, slight for the layby and the footpath, and slight or neutral from the A505 downplays the magnitude of visual effects and impacts because of the nature of the development. In terms of the footpath users, there would be intervisibility along a significant stretch, especially in winter when the building would be more exposed due to the largely deciduous nature of the foreground vegetation. As indicated above, the value of landscape mitigation would be limited.

15. The Council's Landscape Officer raised no objection to the proposal and there is some local support for this development to improve the appearance of the site. However, for all the reasons given, the building's size, massing and design, along with extensive fence, would result in a dominating urbanising form of development. This would significantly harm the character and appearance of the area and there would be conflict with Policy HQ/1 of the South Cambridgeshire Local Plan (LP) 2018 which amongst other matters, require high quality design and the proposal to preserve or enhance the character of the local area and respond to its context. It would conflict with paragraph 126 of the National Planning Policy (the Framework) which requires the creation of high quality, beautiful and sustainable buildings and places.

Need to travel and choice of transport modes

16. The appeal site would be situated within the countryside outside development frameworks designations where LP Policy S/7 states only allocations within made Neighbourhood Plans and development for agriculture, horticulture, forestry, outdoor recreation and other uses, which need to be located in the countryside or where supported by other policies in this plan, will be permitted.
17. Policy TI/2 of the LP states that development must be located and designed to reduce the need to travel, particularly by car, and promote sustainable travel appropriate to its location. It further indicates that planning permission will only be granted for development likely to give rise to increased travel demands, where the site has (or will attain) sufficient integration and accessibility by walking, cycling or public and community transport. Paragraph 105 of the Framework states that significant development should be focussed in locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion, emissions and improve air quality and public health.
18. The proposed floorspace for the storage unit would be significant. The potential end user runs a self-storage facility for individuals and businesses, and it already has a facility in Royston. For individuals it provides a range of storage units suitable for large and small items, and for commercial units, it provides racking and free-standing storage options for commercial clients. The end-user has an existing facility at Royston and the new facility would be used for over-spill. Longer term storage units would be moved from its main site to this new facility which would free up space in its Royston facility for short term storage units which are required for shorter time periods.
19. Goods would be transferred between the two facilities units by the end users own vehicles, with the stock from the appeal site moved to the Royston main site for processing and final dispatch when required. Customers would also use cars or light vans with the occasional rigid HGVs for removal. The facility

- would be open 07:00 - 19:00 seven days per week and the end-user expects 75% of its customers to come from the Royston area. A total of 11 car parking spaces are proposed at the site for employees and customers, two of which will be disabled parking spaces
20. As detailed under a Transport Appeal Statement (TAS)², there would be 40 vehicles per day, comprising 2HGVs based on the end user's experience, or some 20 vehicles per day based on the Trip Rate Information Computer system (TRICS) data, a recognised tool for estimating vehicle trips. Such movements would be low in comparison with those estimated for the former public house use, the last lawful use of the site, although not in use for a long time. They would also have been considerably lower than those generated by the 2019 planning permission with restaurant and petrol filling station. Additionally, they would have been considerably lower than that generated by the now expired 2018 planning permission for the three restaurants.
 21. However, the location of the storage unit in this location would not reduce the need to travel or offer a genuine choice of transport modes. It has not been proven that a significant number of linked trips would take place, for example by customers using the A505 on their way to/from work, or part of another trip. The extracts of the Self Storage Association UK 2021 Report do not demonstrate linked trips on this basis. In contrast, the previously permitted uses would relate to roadside facilities serving a specific purpose for the users of the A505.
 22. Under the TAS, some 10% of the vehicle trips to the new petrol filling station would be new trips under the 2019 planning permission. For the expired 2018 planning permission for the restaurant units, it also indicates that some 20-40% of trips would be new trips. In this regard, customers could make a special trip or divert for a particular brand or offer but, again, there is no detailed evidence to support any contention that this relates to a significant number of drivers.
 23. If either of the permitted schemes had been built, there would be expected to be vehicle generation from depots some distance away to service the restaurant units and the petrol filling station. The TAS estimates these deliveries to be every 1-2 days and a refuse/recycling collection once or twice a week. Even taking this into account, such vehicle movements would be considerably lower than that generated by the storage use.
 24. The 2018 planning permission would have employed a significant number of staff due to the restaurants who would come to work by vehicle, many from urban areas, such as Royston. The TAS estimates that daily movements would be greater than that of the proposed storage use but this permission has now expired. For the 2019 planning permission with the petrol filling station, the number of staff would only be six according to the planning application form which would be similar to the number of employees associated with the proposal. Consequently, there would be no benefit in terms of reducing staff vehicular movements.
 25. For all these reasons, the location of the site for a storage unit would not be a sustainable location for development, having regard to the need to limit travel and offering a genuine need for the choice of transport modes. Accordingly,

² Transport Appeal Statement, Per Evans Partnership, Transport, Planning and Highway consultants, October 2021.

the proposal would conflict with Policies S/7 and T/2 of the LP and paragraph 105 of the Framework.

Protected Species

26. A bat survey indicates a feeding bat roost of a one species in the pub building's cellar and the activity of bat species around the site. Bat activity was low and in respect of the bat roost, the scale of impact through its removal was judged to be small at worst.
27. However, the survey dates to August 2018. Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within The Planning System indicates that where there is a reasonable likelihood of a protected species being present and affected, a survey should be carried out before planning permission is granted. It goes on to advise that surveys should only be required by condition in exceptional circumstances and that the presence of European protected species may potentially justify a refusal of planning permission.
28. In terms of exceptional circumstances, the conservation importance of some bat species may be low but this depends upon species and type of roost. In the absence of further survey work, it is not possible to assess the importance of bat species present and there is potential for other bat species, especially given the rural and landscaped nature of the area.
29. Planning permission exists for the demolition of the existing building on the site and therefore, irrespective of this proposal, demolition could take place. However, this is no certainty that this would occur, and the appeal proposal has to be judged as it is put to me. For all these reasons, it has not been demonstrated that bats, a protected species, would not be adversely affected in the absence of evidence to the contrary. Accordingly, the proposal would conflict with Policy NH/4 of the LP.

Highway safety

30. The A505 is a dual carriageway road subject to the national speed limit of 70mph in the vicinity of the site. Approximately 130m east of the site, a vehicle lane crossover on the A505 is provided with a deceleration lane to allow eastbound traffic the opportunity to turn right and access the westbound carriageway. A similar vehicle lane crossover is provided some 160m west of the site to allow the westbound traffic the opportunity to turn right and access the eastbound carriageway.
31. Leaving the development, drivers would use a new acceleration lane parallel to two main eastbound lanes of the dual carriageway and the U-turn crossover lane (eastbound to westbound) on the A505. Vehicles would travel at different speeds along the 4 lanes of traffic and there is potential for drivers leaving the development to attempt to cross the main eastbound lanes to access the U-turn crossover lane (eastbound to westbound) over a short distance. On this basis, the Highway Authority has raised objection on safety grounds.
32. However, the traffic movements associated with a storage use and the end-user would be small. In respect of the particular proposed end-use, most of the traffic would be likely to come down the westbound carriageway and then use the vehicle crossover lane (westbound to eastbound) to gain access to eastbound carriageway and then the site. In relation to the permitted public

house use on the site, traffic movements would be considerably reduced in terms of exiting traffic.

33. The proposal incorporates highway improvements to the existing access and exit arrangements. In this regard, the existing vehicular access would be improved into the site. The storage use would have reduced vehicle movements trips compared to the previous use and the permitted uses under the 2019 planning permission, with the petrol filling station. With reduced traffic trips, the merging exit taper, of about 130m, would allow vehicles, including large vehicles, to accelerate to an appropriate speed before joining the main carriageway. Given the overall number of daily vehicle movements from this development, the number of vehicles that would cross the two carriageway lanes to the cross over lane (eastbound to westbound) would be extremely small.
34. The proposed access arrangement would be an improvement on the former junction. It has not been disputed that the existing junction radii on the site conflicts with the Design Manual for Roads and Bridges (DMRB) relating to geometric design of at-grade priority and signal controlled junctions. The DMRB is commonly used for analysis and design of the trunk road and motorway network but also used for local roads, where appropriate.
35. For all these reasons, the development would not result in an unacceptable impact on highway safety and the proposal would comply with Policy T/2 of the LP (in respect of highway safety).

Other matters

36. In relation to this unit, the proposed end user has been searching for premises for over 5 years and has unmet demand from businesses and private individuals in Royston. There are local representations to support this. From a website, annotated map extracts show no availability of sites to meet requirements of the end user. The location of the site would be advantageous to the end user's needs. The development would deliver a mixture of employment opportunities with a mixture of part time and full time jobs, with a potential to employ 6-10 people. As such, the aims and requirements of LP Policy S/1 to provide impressive and sustainable economic growth and LP Policy S/5 in creating 22,000 additional jobs would be supported.
37. Paragraph 82 of the Framework recognises the need for flexibility when it comes to seizing opportunities for economic growth, requiring councils to be flexible enough to accommodate needs not anticipated in the plan and enable a rapid response to changes in economic circumstances. The proposal would make more efficient use of brownfield land. In relation to LP Policy S/6, the site is not within the green belt and as such its development will release pressure on the green belt to provide sites to meet the LP's vision and objectives.

Planning Balance

38. There would be economic and environmental benefits associated with the proposal that weigh heavily in favour of the proposal. The proposal would result in highway improvements compared to the existing junction layout on the site.

39. However, there would be harm to the character and appearance of the area in conflict with Policy HQ/1 of the LP and to the need to reduce travel and offering a genuine choice of transport modes in conflict with LP Policies T1/2 and S/7. There would also be harm to protected species in conflict with LP Policy N/H4 of the LP. LP Policy S/7 supports uses in the countryside but only uses that need a countryside location and storage uses do not specifically need such locations. Cumulatively, the harm would be substantial and overriding for these reasons and there would be a conflict with the development plan taken as a whole.
40. Paragraph 81 of the Framework states significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. However, development would also fail to create a high quality building and place which under the Framework is fundamental to what the planning and development process should achieve. Furthermore, it would not promote sustainable transport because it would not limit the need to travel or offer a genuine choice of transport modes. Such design and sustainable transport considerations would be overriding, and for all the reasons indicated, there are no material considerations of sufficient weight or importance that determine that the decision should be taken other than in accordance with the development plan and therefore, planning permission should be refused.

Conclusion

41. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR