



Appeal Decision

Site visit made on 20 April 2023

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 June 2023

Appeal Ref: APP/J0405/W/22/3307268

The Retreat, Buckingham Road, Little Horwood, Milton Keynes MK17 0PX

- 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 Ms Tania McIntosh of Savvy Storage against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref 22/00551/APP, dated 14 February 2022, was refused by notice dated 2 September 2022.
 - The development proposed is described as change of use to storage B8 extend existing open storage for caravan/campervans and self- storage containers (B8 use) to replace existing storage yard consented 18/00606/APP.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Ms Tania McIntosh of Savvy Storage against Buckinghamshire Council - North Area (Aylesbury). This application is the subject of a separate decision.

Preliminary Matters

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
4. The address on the application form and Council's Decision notice refers to the site as being on Bletchley Road in Great Horwood, while the appeal form refers to Buckingham Road in Little Horwood. The address on the appeal form refers to Buckingham Road in Little Horwood which matches my observations on site, so I have used this address in the banner heading above.

Main Issues

5. The main issues are:
 - whether the appeal site would represent a suitable location for the proposed development having regard to the development plan policies;
 - whether the proposed development would have an adverse ecological effect on a watercourse; and

- the effect of the proposed development on the character and appearance of the area.

Reasons

Suitable location

6. With the exception of some limited development found close by, the appeal site is surrounded by fields and is located away from any built-up settlement areas. From my observations, whilst there are settlements located at Little Horwood, Great Horwood, Buckingham and Milton Keynes, these are not adequately accessible on foot as many roads surrounding the appeal site do not benefit from a footway with cars generally travelling at high speed on the surrounding highway network. Furthermore, I observed that there was limited opportunity to access sustainable transport modes such as public transport within the vicinity of the appeal site. For these reasons, I do not consider the appeal site to be in a suitable location for the purposes of Policy D6 of the Vale of Aylesbury Local Plan (VALP), which seeks to support employment development in sustainable locations.
7. The appellant's statement acknowledges that the nature of the business for caravan/campervan storage and domestic/business storage means that the site will inevitably need to be accessed by private motor vehicles. Additionally, the appellant argues that as the appeal scheme will be relocating the existing storage area, there will be no increase in traffic movements generated from the proposed scheme.
8. Having reviewed the evidence before me, I attached considerable weight to the appellant's argument that the relocation of the storage area from The Retreat would unlikely generate additional vehicular movements over and above those that currently occur. However, in order to consider if the relocation of the storage area would be as sustainably located as the existing site, the appeal scheme would need to identify how the relocation can be secured given that an extant permission exists.
9. As such, having considered previous planning permissions, site areas and planning units. I must have regard to the principles associated with each planning unit, relevant material changes of use and the descriptions of development granted by these planning permissions. In this instance, planning conditions are not an appropriate approach to achieve the purpose of ensuring the land adjacent to The Retreat is used solely as a garden once the self-storage facilities have been moved.
10. This is because the conditions recommended would firstly be taking away the benefit of the 2018 permission (Ref: 18/00606/APP), which would not be acceptable. Secondly, Schedule 2 Part 1 of the General Permitted Development Order (GPDO) only applies to development within the curtilage of a dwelling house. The 2018 permission allowed for mixed use¹ and therefore, the appeal site no longer benefits from Permitted Development rights under Schedule 2 Part 1 of the GPDO.
11. The appellant suggests that the proposed scheme would allow for a rural business to develop. However, storage facilities are businesses that can be located within an urban environment. As such, it has not been demonstrated

¹ As confirmed by condition 6 of the Decision notice application ref: 18/00606/APP

that there are alternative sites closer to existing settlement boundaries, and I attached little weight to this argument.

12. Therefore, on this main issue, I cannot conclude that the proposal would not result in additional employment provision outside of a sustainable location. This is because there is no mechanism in place by which the required relocation of the storage facilities can be secured and controlled. Consequently, I conclude that the proposal would not accord with Policies S1, S3 and D6 of the VALP. Together, amongst other things, these policies seek to ensure that development is sustainably located and contributes positively to meeting the vision and strategic objectives for Aylesbury Vale.
13. Policy 1 of the Great Horwood Parish Neighbourhood Plan (GHPNP) states that development proposals on land outside the settlement boundary will not be permitted in the countryside subject to a number of listed exceptions. From the details before me and in the absence of any evidence to the contrary, I find the development proposed is a business use and therefore an enterprise. As such, it would fall within the listed exceptions. I therefore find no conflict in this regard. However, Policy 1 also requires new development in the countryside to not result in the loss of open land that contributes to the form and character of Great Horwood and Singleborough. I deal with this below under character and appearance.

Watercourse

14. Policy NE2 of the VALP states that development proposals must not have an adverse impact on the functions and setting of any watercourse and its associated corridor. It goes on to advise that development proposals adjacent to or containing a watercourse shall provide or retain a 10m ecological buffer (unless existing physical constraints prevent) from the top of the watercourse bank and the development. It also requires a long-term landscape and ecological management plan for this buffer.
15. The appellant disputes what they refer to as a drainage ditch constitutes a river or stream corridor for the purposes of Policy NE2. Nevertheless, the Council's officer report identified Policy NE2 as being an important consideration as they consider a watercourse is located close by.
16. During my site visit, I observed a water channel to the northern edge of the appeal site that followed the eastern boundary of the open storage yard and continued to the north. At this northern point, it was evident the channel continued but it was not possible for me to establish any wider connections the channel fed into. Whilst there were dry areas within the channel, flowing water and vegetation on its edges were also present.
17. From the evidence before me and based on my own observations, the appellant has provided insufficient information to demonstrate that the channel identified above does not form part of a watercourse. Without evidence to demonstrate otherwise, I find that a 10m ecological buffer and a long-term landscape and ecological management plan should be provided.
18. I accept that a previous scheme on an adjacent site might have been found acceptable by the Council's Landscaping Officer. However, without robust evidence, I cannot be confident that development could be carried out in this

location without adversely affecting this watercourse, and there is little to demonstrate that potential harm could be effectively mitigated.

19. Accordingly, I am unable to conclude that the proposal would not have an adverse ecological effect on a watercourse. I find that the proposal would conflict with Policies NE2 and NE4 of the VALP, which broadly seek to avoid adverse impacts on the functions and setting of any watercourse and its associated corridor whilst respecting the ecological value of the area.

Character and appearance

20. The appeal site relates to an open parcel of land. The site is enclosed on three sides, with the northern boundary adjoining palisade fencing, which encloses the open storage yard. On the western boundary, it is enclosed by pockets of mature trees and vegetation with views onto Crossroads Bungalow and the adjacent storage building/yard. To the south is a dense tree boundary separating the site from the busy A421.
21. The only open side of the appeal site is to the east, and given the flat topography of the wider field, it is clearly seen in the context of surrounding uses. As such, the immediate area has a mixed commercial and residential character. Notwithstanding that the appeal site can be seen from the wider field, an earth bund exists on the boundary of the field restricting views from the wider surroundings.
22. Alongside being located outside any defined settlement boundary, the Council has stated that the site lies within an area identified within the designated Whaddon-Nash Valley Local Landscape Area (LLA) boundary. The LLA identifies a number of special qualities of Whaddon Nash Valley and its significance.
23. Although I viewed the appeal site at a time of year when the surrounding hedges and trees were beginning to leaf, I saw, from the majority of publicly accessible locations, with the exception of Crossroads Bungalow, that the appeal site was not visible. I also observed that the adjacent site with open storage containers to the north was barely perceptible.
24. It is only from the wider field to the east, that the proposed storage containers and other campervans/caravans would be likely seen. Notwithstanding that a 10m buffer could be required, the development as proposed would be seen as an extension to the existing open storage facilities nearby. Whilst sited behind palisade fencing, the existing and proposed planting would limit its visual impact on the surrounding landscape.
25. The development that would be most visible would likely be the palisade fencing. Whilst the proposed planting would take some time to mature, the harm to the area's visual appearance would be minimal due to the site having a similar use and appearance to the northern open storage yard. As such, it would not be out of context in this location, infilling a gap between the development to the north and A421. Even in the winter, whilst the trees mature, the low-level nature of the containers and vehicles/caravans would not be harmful to the surrounding landscape.
26. The appeal site is located some distance from Great Horwood and Singleborough. This relatively small area of open land is enclosed on several sides and does not contribute to the form and character of these settlements. As such, I find the proposed scheme does not conflict with Policy 1 of GHPNP.

27. Therefore, the proposal would not harm the character and appearance of the local area and would be in accordance with Policies S1, S3, BE2 and NE4 of the VALP and Policy 1 of the GHPNP. Together these seek, amongst other things, that new development is not visually prominent in the landscape and respects and complements the site and its setting. The proposal would also accord with the National Planning Policy Framework and the National Design Guide, in so far as they seek new development to be sympathetic to the local character and contribute to conserving the natural environment.

Other Matters

28. In reaching my decision, I have had regard to the fact that there would be some benefits from ecological enhancements by way of native species planting. Given the scale of the proposed development, these contributions would be modest. As such, I ascribe these benefits limited weight.

29. My attention has been drawn to applications ref: 19/03590/APP and 20/03661/APP that were approved by the Council. Based on the limited information before me, the Council considered the principle of these developments acceptable in both instances when considered against a previous development plan and the emerging VALP. Nevertheless, without an appropriate mechanism to secure the relocation of the storage facilities, the proposed development could result in further development in what I have found to be an unsuitable location for the reason set out. I therefore, attach limited weight to these decisions.

30. I acknowledge that there may be an increasing demand for secure storage, and the applicant has advised that they are having to turn customers away. However, the appeal scheme is for the relocation of the storage facility as such, I attach little weight to the increased demand for such facilities.

31. Whilst the Council refused the application associated with this appeal, there is nothing before me to conclude the Council has been inconsistent in its decision-making as the Council's officer report and Decision notice provide sufficient details as to why the proposed development was refused.

32. It is unfortunate that there was a delay in communication between the parties due to the increased demand for the Council's planning service and a high number of vacancies within the department. Nevertheless, the Council sought additional information, which was not sufficient to address their concerns.

33. I have noted the appellant's comments in relation to the amenity of the occupiers of The Retreat. However, as I have established, The Retreat forms part of a mixed-use whereby noise and other disturbance was considered at the time of the approval.

Conclusion

34. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.

35. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

A Hickey

INSPECTOR