



Appeal Decision

Site visit made on 1 August 2023

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 August 2023

Appeal Ref: APP/R3325/W/22/3305399

The Willows, Lattiford, Holton, Wincanton, Somerset BA9 8AF

- 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 & Mrs Clements against the decision of South Somerset District Council.
 - The application Ref 21/00485/FUL, dated 10 February 2021, was refused by notice dated 21 March 2022.
 - The development proposed is the change of use of land to provide a commercial vehicle storage facility (Retrospective).
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr and Mrs Clements against South Somerset District Council. This application is the subject of a separate decision.

Preliminary Matters

3. At the time of my visit external vehicle, caravan, boat and trailer storage was taking place, with secure storage occurring in the former stables. The proposed access had not been installed. For the avoidance of doubt, my determination of the appeal is based on the drawings as submitted.
4. The Council have been merged with others into Somerset Unitary Authority, with the individual development plans remaining relevant. As South Somerset District Council made the decision on the original application, I have referred to that name above.
5. 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.
6. Rose Farmhouse and Lattiford House are grade II listed buildings. As required by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the

desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

Main Issues

7. The main issues in this case are:

- firstly, the effect of the proposal upon the character and appearance of the area;
- secondly, whether the proposal would make adequate provision for effluent and waste disposal; and
- thirdly, the effect of the proposal upon the safety of other highway users having particular regard to access.

Reasons

Character and Appearance

8. The appeal site comprises a group of stables that are currently used to provide secure internal self-storage units and also an area of land used for the external storage of a variety of caravans, motorhomes, vehicles, boats and trailers. These are positioned on a gravel and chipped rubber surface in long rows either side of access tracks. The storage currently shares access onto the A357 with a number of other uses, including a residential property and a variety of outbuildings associated with a nearby property. The external storage area currently accommodates over 130 units, and is mostly bounded by post and rail timber fences, with mixed native hedges and hedge trees beyond these to the east and south.
9. The site is on a level area, with the road forming a linear demarcation between the higher land towards the west and the lower, more gently undulating land to the east. Trees and hedges bound the roads and fields. There are glimpses of the storage from long distances away when looking towards the site from the west, and users of the nearby public footpath have clear views of the site. Despite the hedges and trees, there are also views of the storage from the road.
10. Whilst noting that the Council have no objection to the principle of the development, the storage is occurring over a large area, and projects well beyond any nearby buildings making a conspicuous intrusion into the agricultural landscape. The long, linear nature of the site combined with the close proximity of so many vehicles, caravans, trailers and boats is an alien feature within an attractive rural landscape. Even though the site would not be externally lit, the long rows of tightly positioned units has a harshly conspicuous and intrusive appearance that unacceptably draws the eye.
11. As the storage extends well beyond any group of nearby buildings, the scheme relies to a large degree on existing and proposed landscaping for

screening, including that suggested within the Landscape and Visual Assessment (July 2022). However, the northern site boundary would be retained as a post and rail fence, and no planting has been included within the site to relieve the extensive monotony of the storage. At my site inspection I saw that recent planting had been undertaken to the northwest of the site and along a field boundary. Nevertheless, the planting that has occurred and that proposed is some distance from the site and would have limited impact screening the storage for users of the footpath and from higher land, particularly given the post and rails fencing along the northern boundary.

12. Moreover, landscaping cannot be relied upon to screen for the lifetime of a development. Additional planting would take many years if ever to mitigate the intrusive nature of such a large area of numerous, closely positioned units. Native species planting is proposed, but in winter months the screening afforded by deciduous planting would be significantly reduced, and the bright colours and reflective nature of many of the units would be evident.
13. Furthermore, given the mixed deciduous nature of nearby hedgerows and hedge trees, any concentration of evergreens would appear curiously conspicuous. The planting that has occurred comprises some natives, but is mostly a variety of non-native evergreens. Such species may provide some year-round screening, but these trees and the presence of a long row of cypress would be conspicuous additions in an area of mixed native trees and hedges. The cypress in particular would grow to form an incongruously monotonous row in an area where mixed native species hedges predominate, and in due course they would overgrow the existing hedgerow, thereby compounding the harm.
14. Amongst the fields and paddocks there is a disparate scatter of buildings, including isolated detached houses, farms, and also the listed buildings of Rose Farmhouse and Lattiford House. The former is a two storey thatched roof rendered farmhouse that has a traditional, rural appearance, and these features and its farmstead setting are part of the significance of this listed building, reflecting its function. This house and its buildings and yards are close to the road, and these outbuildings and the fields near to the farmhouse are part of the setting of this listed building. Beyond them is the Willows, its gardens, and its associated outbuildings. This separation, including the presence of other buildings, tall trees and that the appeal site is on land that is at a similar level to the listed building is such that the external storage does not harmfully intrude upon the significance of this vernacular farmhouse and its setting.
15. Lattiford House occupies an elevated position above the appeal site, and it has the imposing size, form, style, and fine detailing of a country house that belies its high status. The upper storey of the building and its attics are visible from the appeal site, and this would be particularly so in winter months. The size and isolated, elevated position of the

house away from the village and other properties, along with its position within extensive grounds, gives the house an imposing impact within the area. This imposition is part of the significance of this listed building.

16. Whilst the storage is occurring within an area of farmland upon lower land, the large extent and regimented nature of so many mostly pale coloured units is an intrusive addition within the setting of this listed building. Despite the physical separation of the house from the appeal site, the storage would harmfully draw the eye. The presence of trees and hedges along the road and the proposed planting may soften the intrusive impact of the storage, but given my concerns regarding the landscaping, the use would unacceptably intrude into the rural setting of the listed building. Although not in a protected landscape, the area has an attractive rural appearance, with the nearby buildings and uses being those that would be expected within such an area. In this context, the alien and extensive nature of the storage is exaggerated, thereby detracting from the setting of the listed building.
17. The National Planning Policy Framework (the Framework) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The proposal would lead to less than substantial harm given the size of the storage when compared to that of the setting of the listed building as a whole. This harm has to be weighed against the public benefits of the proposal. The site provides a valued storage service for its users, and additional landscaping would have an environmental benefit. These would be public benefits. There would also be economic benefits for the appellants, but these would be personal rather than public benefits. However, for the reasons given above the landscaping benefits would be limited, and the convenience of the location near to main roads does not outweigh the harm to the listed building's setting, nor has any justification been provided as to why the use has to occur on this site. As such the public benefits arising from the scheme would be limited and would not outweigh the harm I have found.
18. For these reasons, the storage unacceptably harms the character and appearance of the area, and detracts from the setting of a nearby listed building. The scheme would fail to accord with objectives of the Framework and be contrary to requirements of the Act, and the suggested conditions would not overcome this harm. This harm would be contrary to Policy EQ2 of the South Somerset Local Plan (2015) (LP), which seeks, amongst other things, high quality development that reinforces local distinctiveness and that which respects local context, thereby reflecting objectives of the Framework.

Effluent and Waste

19. Beyond the fencing along the southern side of the site is a drainage ditch. The caravans are described as “sealed units”, with no discharge of materials or liquids into the ground. However, there are also a variety of motorhomes and other motorised vehicles and boats being stored on the site, and the nature of the internal storage has not been provided in any detail. No existing or proposed drainage details have been provided by the appellants. It might be that most vehicles are well-maintained, but it cannot be assumed that contamination / pollution of the ground and nearby water courses would not occur through the presence of so many parked vehicles, caravans, and boats.
20. Local residents have referred to other activities occurring on site in addition to the storage, particularly vehicle washing, maintenance, and repair, along with rubbish and chemical storage and disposal. The appellants have referred to the stringent nature of the terms and conditions for use of the site, including such measures as removal of all gas bottles, and that toilets should not be emptied on site nor rubbish left. These measures would reduce the potential for contamination and pollution, as would the absence of facilities for washing or cleaning of the units.
21. Whilst the Framework makes it clear that planning decisions should assume that separate pollution control regimes will operate effectively, given the nature and extent of the use, details of site drainage and measures to prevent contamination and pollution would be necessary, particularly as the site is partly bounded by a watercourse. Although the appellants have not objected to the conditions suggested by the Council, given the extent of the storage as a whole, and the absence of detail concerning existing arrangements, on the basis of the evidence before me it is not clear whether conditions would meet the tests within the Framework. This would be particularly so with regard to drainage arrangements and associated pollution / contamination prevention measures. It may be the case that other pollution control regimes would ensure the development operates effectively, but in this case that has not been demonstrated. Consequently, the proposal would fail to accord with the requirements of the Framework and with those of LP Policy EQ7, which seeks amongst other things, to ensure that development in its own right or cumulatively would not result in water quality and environmental pollution.

Highways

22. The existing access to the site comprises a shared use track near to a bend in the highway, with high vegetation and an advertisement limiting visibility splays when emerging from the site. The proposed access would be to the north and would allow two vehicles to manoeuvre into and out of the access. The appellants also propose a management regime restricting opening hours to minimise conflict.

23. Subject to conditions regarding surfacing, drainage and visibility splays the Council have raised no objection, albeit local residents have concerns regarding slow moving vehicles near bends in the road. I also note the concerns of local residents with regard to the quality of the Highways and Traffic Proof of Evidence (August 2022). Nevertheless, the dimensions and specifications of the access, along with its position further away from the bend in the road than the existing access, and within a 30mph speed limit, would combine to minimise risk to users of the access and of the highway. However, a consequence of maintaining clear visibility splays would be the loss of some roadside vegetation, which in turn would enhance the visibility of the proposal within the surrounding area, thereby compounding the concerns I have identified above.
24. Having regard to my findings the scheme would not significantly impact upon the safety of other highway users and would accord with LP Policies TA5 and EQ2. These seek, amongst other things, that development has safe and convenient access, thereby reflecting objectives of the Framework.

Other Matters

25. Local residents have raised a number of other matters, including noise nuisance and the creation of a precedent. As regards the latter each scheme is considered on its individual merits, in accordance with the requirements of the current development plan and all other material considerations. Following my findings on the appeal, noise disturbance arising from the existing use would need to be addressed separately from the appeal process, and I have no need to consider this matter further. Finally, concerns regarding the Council's handling of the application and the appeal relate to procedural matters and have no bearing on my consideration of the planning merits of the case.

Conclusion

26. The scheme would cause unacceptable harm to the character and appearance of the area, as well as harming the setting of a listed building, and measures to demonstrate that the scheme would not cause environmental contamination and / or pollution have not been provided. The suggested conditions would not overcome these harms. The proposal would conflict with the development plan and there are no considerations that outweigh this conflict. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR