



Appeal Decision

Site visit made on 25 July 2023

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2023

Appeal Ref: APP/D1265/W/22/3307669

Walston Poultry Farm Ltd, Horseshoe's to Gaunts Common Lane, Gaunts Common, Dorset BH21 4JR

- 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 Mrs. Samantha Friend against the decision of Dorset Council.
 - The application Ref P/FUL/2022/03143, dated 18 May 2022, was refused by notice dated 7 September 2022.
 - The development proposed is change of use from agricultural to 8 no. self-storage (B8 storage only) units.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from agricultural to 8 no. self-storage (B8 storage only) units at Walston Poultry Farm Ltd, Horseshoe's to Gaunts Common Lane, Gaunts Common, Dorset BH21 4JR, in accordance with the terms of the application Ref P/FUL/2022/03143, dated 18 May 2022, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was made by Mrs. Samantha Friend against Dorset Council and Natural England. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - whether or not the appeal site is in an acceptable location for the proposed use, with particular regard to its accessibility;
 - the effect of the proposed use on the character and appearance of the area; and
 - the effect of the proposed use on the living conditions of nearby occupiers, with particular reference to noise and disturbance.

Reasons

Location of development

4. The appeal site comprises a substantial area that contains four long sheds used for poultry production. The sheds are positioned behind the residential dwellings that line the main road running through Gaunts Common, a small rural village consisting mainly of dwellings.

5. The existing agricultural use is unfettered and there are no controls on the hours of operation or the number of vehicles that can access the site. There would be nothing preventing another agricultural activity from taking place at the site, along with associated vehicular movements from workers, deliveries and vehicles manoeuvring and turning within the site.
6. The proposal would result in the sheds being subdivided into 8 self-storage units. There are no external changes proposed. Due to the generous floor area, the units are expected to be used, amongst other things, for the storage of large, bulky domestic items.
7. An earlier application was refused by the Council in 2022 for a similar proposal, albeit a use that included "distribution"¹, as well as "storage". The planning application has removed the "distribution" use previously proposed, and sought to address the Council's concerns relating to noise, intensity of use, harm to local character and the proposal's rural location relating to that earlier decision. Also, conditions are proposed in the appellant's statement that limit the number of occupiers, the type of storage, the number of daily journeys to and from the site, as well as the hours when these can take place. The Council have had sight of those suggested conditions.
8. Policy KS2 of the Christchurch and East Dorset Local Plan Part 1 Core Strategy (April 2014) (the Local Plan), outlines the Council's settlement strategy. Gaunts Common is listed as a village where only very limited development will be allowed that supports the role of the settlement as a provider of services to its home community. Policy PC4 of the Local Plan is more prescriptive for proposals that support the rural economy. Amongst other things, schemes must support the vitality and viability of rural service centres and villages, benefits must outweigh harm in terms of the level of accessibility to service centres and additional trip rates on the highway network. Furthermore, subject to meeting specific criteria, the policy lists several acceptable uses, that could include tourism, light manufacturing, and small offices, yet that list is not exhaustive and does not preclude other uses such as the appeal proposal.
9. Gaunts Common is a village with a limited number of services and facilities. The proposed storage use would not be a typical village service. Occupiers would likely be those that require a large storage unit for domestic items and would probably reside in the wider rural area or further afield, rather than Gaunts Common. Nonetheless, the proposal would sustain a small employment use at the facility, that could be drawn from the local community area. Moreover, the re-purposing of the buildings to a storage facility would prevent them from falling into decline and disuse. In these respects, the proposal would sustain the vitality and viability of the village.
10. The proposed use would involve items being delivered to the site for storage. Many of these would likely be large domestic objects such as furniture and white goods appliances, making delivery either by public transport, cycle or walking problematic and doubtful. In this regard the proposal would not favour journeys by accessible transport modes, as it is not a typical use that could foster those types of trips. The storage use, particularly given the scale of each unit proposed, would offer a rather niche service to those looking for larger floorspace to store items that could not be fulfilled within the typically smaller storage units found in urban areas or at employment/industrial sites.

¹ Local Planning Authority Ref - 3/21/0935/FUL, refused 14th March 2022

Additionally, the site's rural location reduces the opportunities to maximise sustainable transport solutions, a matter alluded to in the National Planning Policy Framework (Framework) and the cases of the main parties.

11. Taking these factors into account, together with the associated benefits of sustaining local employment and the building's occupancy, the proposed marginal increases in vehicle movements to and from the site, mainly by private vehicle, would not be unacceptable in this instance, with reference to sustainable transport and accessibility. Moreover, planning conditions would be able to control any excessive daily vehicle movements and the time of day these take place; controls which cannot be applied to the existing agricultural use.
12. Although the proposed storage units have a substantial floor area that would be above the UK average, they could nevertheless offer an alternative to those looking for larger spaces to store domestic items.
13. Therefore, the appeal site is an acceptable location for the proposed use, having regard to accessibility. It would accord with Policies K2 and KS11 of the Local Plan, which amongst other things requires, mitigation against negative transport impacts as well as providing a service to the wider community area. The proposal would also comply with guidance in the Framework regarding the sustainable growth and expansion of all types of business in rural area through the re-use and conversion of existing buildings (Paragraphs 84 and 152).
14. Although not referred to in the Council's refusal reason, the scheme would also accord with Policy PC4 of the Local Plan where it requires development to support the vitality and viability of villages, and to minimise trips on the highway network.

Character and appearance

15. The sheds, although large in scale, have a low roof profile. They occupy a relatively small portion of the site and are largely screened from public vantage points by tall mature trees. Although they can be seen from neighbouring gardens, views of the sheds, the surrounding green spaces, associated tracks and hardstanding's are largely glimpsed through the boundary vegetation surrounding the adjacent properties.
16. The applicant has submitted that the existing trip rate associated with the poultry use is approximately 7 trips per day to the barns, 50% of which are HGV/tractor trailer combinations. Whilst interested parties have referred to low current traffic levels it is recognised that access to the agricultural site is unfettered, and significantly greater trip rates could currently take place and at varying times of the day, in association with the agricultural use, without the need for planning permission.
17. During my late morning visit, the sheds were unoccupied and there were no comings and goings from vehicles or employees to the site. Occasional garden and agricultural machinery could be heard coming from neighbouring properties and farmland, as well as distant traffic movements along the highway traversing Gaunts Common. The submitted details indicate that the existing use generates around 7 in/out vehicle movements per day. Therefore, it is logical to assume occasional sounds from vehicle engines, reversing

warning signals, doors opening and closing and verbal interaction between staff and visitors.

18. Given the scale and nature of the existing use being contained within the sheds, activity and noise associated with it is likely to be infrequent, yet of a regularity and audibility that would be perceptible from within the site and adjoining land. Accordingly, although the site and surroundings are to some extent attractive due to their verdant appearance, there are no obvious qualities that would indicate it is particularly tranquil, nor do I consider that tranquillity is a factor which positively and distinctly contributes to the area's character. Moreover, I have not been directed to any character study for the area which identifies tranquillity as a quality that influences its character.
19. The TRICS data submitted indicates that for a domestic storage use with the proposed floor area, there would be around 90 trips to and from the site across a 24hr period. Yet this data is derived from storage facilities which have an average unit floor area of between 1m² and 28m². Those smaller units would more than likely generate a greater number of total customer journeys compared to the proposed units which would have a floor area of around 350m² each. Therefore, the analysis derived from the TRICS data suggest that the proposed units would generate less than 90 visits per day.
20. Nonetheless, to impose greater certainty on the level of activity of the proposed use, the appellant proposes to limit the total number of vehicle trips to the storage units to 16 per day. Some allowances can be made during first occupation and vacating the unit, as well as a daily 20% buffer. This could be regulated and enforced through an automated traffic counter as well as customer sign-in arrangements. The units would also be limited to domestic self-storage to prevent commercial operators from using the site. Further controls could restrict and contain the level of light emanating from the site.
21. With those limitations in place the number of daily vehicle movements would be very low. Although they would be more than double those associated with the current poultry production facility, the difference would not be perceptible when spread across the day.
22. Users of the facility would be delivering domestic items of various size to the units via vehicles and removing them as necessary. This activity would be similar in terms of sound and frequency to the existing use. For example, engine noise associated with vehicle movements, doors opening and closing, low daily trip numbers, moving objects and equipment from vehicles into the buildings, people communicating, number of employees. The use would not involve an industrial process or activity. Due to the low number of storage units at the site and the nature of the use, the activities described would not be particularly intensive, nor would they result in regular or continuous noise emissions emanating from the site, such that there would be a dramatic change to the area's rural character, with reference to the aural environment.
23. The proposed use can be subject to planning controls (described above and further below) in terms of the number and type of occupier, hours of operation and the number of trip movements to and from the site. In contrast the existing, unfettered agricultural use is unregulated regarding operating times, vehicle deliveries or the type of agricultural activity or process that could be undertaken at the site.

24. In view of the above, the proposed use would not harm the character and appearance of the area. It would therefore accord with Policies HE3 and PC4 of the Local Plan, which amongst other things require proposals to consider the character of settlements, their tranquillity, and the need to protect against intrusion from light, noise and motion. The scheme would also accord with the aims of Paragraph 174 of the Framework insofar as maintaining the character and beauty of the countryside.

Living conditions

25. The site is accessed off the main road via a narrow access track, that runs, in part, along the side boundaries of The Olde Oak and Little Thatch. The track is visible from side facing windows and the rear gardens of those properties, while the proximity of rooms and amenity spaces exposes occupiers to the sight and sounds of vehicles accessing the poultry farm. The submitted details indicate that around half of the existing movements relate to HGV and tractor/trailer combinations. Sounds will include vibrations from vehicles, engines revving and music/conversation from cab radios or sound systems, particularly when vehicle windows are open.
26. Under the current agricultural use, there would be nothing preventing early morning or late evening deliveries to and from the site during times of the day when nearby occupiers could be settling down for the evening or sleeping.
27. With 8 storage units proposed across the site and a limit of approximately 16 daily customer vehicle movements, the nature of vehicle activity along the access track would be relatively low. These would also be confined to more respectable hours of the day, outside of the evenings or the early hours. Those accessing the storage units would be expected to be doing so in cars, vans and some HGVs, therefore the type of vehicle using the track and therefore the characteristics of the noise emissions along it would be similar to the existing use.
28. There is also no evidence to suggest that vehicles associated with the proposal would be travelling at higher speeds or would be emitting louder noise frequencies. Accordingly, there would be no significant change in noise characteristics along the track following the proposed use, such that occupiers of The Olde Oak and Little Thatch would be exposed to more harmful levels of noise and disturbance, over and above the existing circumstances. Similarly, this circumstance would apply equally to residential properties further afield.
29. For the above reasons, the proposed use would not harm the living conditions of nearby occupiers, with particular reference to noise and disturbance. Therefore, it would accord with Policy HE2 of the Local Plan and Paragraph 130 of the Framework, which amongst other things, requires proposals to be compatible with their surroundings including minimising general disturbance to amenity.

Other Matters

30. Natural England (NE) have referred to the site's proximity to several designated sites, including the Holt and West Moors Heaths SSSI, Holt Heath National Nature Reserve and the Holt Forest Ancient Woodland. While the impacts of air quality are likely to be reduced if the scheme is approved, the nature of the use proposed, according to NE, would be likely to generate some

ongoing air pollution effects because of a higher level of vehicular access than for other uses which might be considered more appropriate in the rural settlement. There could also, in their view, be effects from site waste upon the local water environment.

31. NE have not quantified the air pollution effects from the proposal and whilst there is no empirical data available in the evidence, the very small proportional increases in daily vehicle movements anticipated would be unlikely to result in significantly more harmful effects, particularly given the controls that can be imposed on daily trip rates to and from the site. In any event as NE indicate that air quality impacts from the existing use would reduce as a result of the proposal, I am not persuaded that in light of removal of existing site pollutants, the proposal would harm the adjacent designated sites through increased air pollution. As for the possible polluting effects from site waste, this could be mitigated through a planning condition requiring the management of waste at the site.
32. The appeal site is in the Green Belt. The Framework states that material changes in the use of land and the re-use of buildings, (providing that the buildings are of permanent and substantial construction) are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
33. Parking areas for staff and unit occupiers would be contained on areas of existing hardstanding between the buildings. There are no details of the dimension or number of spaces, yet each parking area designated would be expected to provide space for four-unit operators. The depth and width of the areas annotated on the submitted drawings could adequately cater for the needs of each unit occupier given the low number of operators proposed across the site. Notwithstanding this, the proposed parking areas could be used for parking by existing site operators without the need for consent.
34. An existing hardstanding between the two groups of buildings is proposed as a turning area. As HGV movements are currently operating in relation to the existing use and no technical concerns have been raised by the Council's highway advisers, I have no reason to doubt that this area would be inadequate for larger vehicles manoeuvring within the site and leaving in a forward gear.
35. The attendance of parked vehicles on the allocated parking areas is likely to be transient rather than a permanent arrangement, as vehicles deliver items for storage then leave the site. There would be some visual change to the area due to the attendance of vehicles, yet this would be expected to be short lived, and their presence would be largely screened by the adjacent buildings, such that the visual openness of the green belt would be unharmed. The parking of vehicles on the areas proposed would also be low in number and contained by the rising buildings either side, such that there would be no perceived encroachment into the countryside. Furthermore, given that there would be no changes to the existing buildings in terms of increases in width, length or height there would be no harm to green belt openness in this regard.
36. Residents nearby have expressed concerns that the proposal would increase vehicular activity as well as highway safety risks on the road network and site access. Yet insofar as vehicle movements are concerned these would not be substantially higher than the existing use, while the ability to control activity at

the site through placing restrictions on trip rates, number of occupiers and opening hours, would ensure that traffic activity remains at an acceptable level. As for highway safety concerns, the Council's advisers have raised no technical objections regarding the site access and the width and alignment of the track leading to the appeal buildings. Following my site inspection of the access and associated track I have no reason or technical evidence to doubt their findings. Moreover, as HGVs and tractors/trailers have accessed the site in association with the existing use, with no detailed record of any serious incident, there is no reason why vehicles of a similar size cannot continue to enter and leave the site under the proposed use.

37. Little Thatch is an attractive grade II listed building. The sylvan backdrop as well as the presence of the equally charming The Olde Oak to the north, make a positive contribution to the setting of Little Thatch and therefore its significance. The buildings proposed for conversion are an appreciable distance from the listed building, while also set at a lower land level. The lack of intervisibility with the appeal buildings and the associated hardstanding areas would ensure there would be no harm or change to the setting of Little Thatch. The access track leading to the site would involve similar vehicle movements to the existing use therefore the character of the track would not dramatically change because of the proposal, such that the visual activity upon it would alter the setting of Little Thatch. I am therefore satisfied that its setting would be unharmed.

Conditions

38. In the absence of a list of suggested conditions with the appeal, I have had regard to those listed in the officer's committee report and NE's representations, as well as those recommended by the appellant, amending them where necessary for clarity and to ensure compliance with the tests set out in paragraph 55 of the Framework.
39. In addition to the standard time limit condition, I have imposed a condition that lists the approved plans for reasons of precision and to ensure the development is carried out as approved. Similarly, the agreed biodiversity mitigation and enhancement proposals must be implemented prior to the commencement of the approved use.
40. Detailed drawings of the proposed parking, turning and site access arrangements are necessary in the interests of highway safety.
41. To control the number of site occupiers and vehicle movements to an acceptable level and to monitor activity associated with the storage units, it is necessary to include conditions requiring details of the management of vehicle and occupier numbers, restrictions on the number of daily/annual vehicle movements, and limits placed on the hours of use. These conditions are required in the interests of nearby living conditions and general amenity.
42. To prevent commercial operators from using the site and to safeguard the living conditions of nearby occupiers, a condition restricting the use of the site to domestic self-storage purposes is necessary. A condition shall also be imposed preventing external storage at the site in the interest of local character and appearance.

43. Despite the officer report proposing a condition that restricts lighting at the site, it is considered reasonable and necessary that arrangements for external lighting are agreed to help occupiers access the buildings in low light conditions. These details will also ensure that the agreed lighting scheme safeguards local biodiversity interests and living conditions.
44. I have considered it necessary that details of waste storage and disposal are agreed before the first use of the approved development, to avoid any unacceptable contamination of the local water environment from site waste. The condition would also ensure that adequate facilities are provided for the appeal buildings and to make the development acceptable in planning terms.
45. I have not included NE's suggested condition regarding the placing of a fenced 15m buffer between the appeal buildings and the adjacent boundary landscaping as this distance seems unattainable given the proximity of adjacent trees.

Conclusion

46. For the reasons given I conclude that the appeal should succeed.

RE Jones

INSPECTOR

Schedule of Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 21135.01 P5 the location plan; 20-1203a Building A- floor plans and elevations; 20-1203b Building B- floor plans and elevations; 20-1203c Building C- floor plans and elevations; 20-1203d Building D- floor plans and elevations; and 20-1203e Building E- floor plans and elevations.
3. The development hereby approved must not be first brought into use unless and until:
 - i) the enhancement/net gain measures detailed in the approved biodiversity plan certificated by the Dorset Council Natural Environment Team on 07 February 2022 have been completed in full, unless any modifications to the approved Biodiversity Plan or LEMP as a result of the requirements of a European Protected Species Licence have first been submitted to and agreed in writing by the Local Planning Authority, and
 - ii) evidence of compliance in accordance with section J of the approved Biodiversity Plan/the LEMP has been supplied to the Local Planning Authority.Thereafter the approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details.
4. Before the first use of the development hereby approved full details of parking layouts, turning areas and the site access shall be submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and shall thereafter be maintained and kept available for the purposes specified.
5. Before the use hereby permitted takes place, details of an automated counting system to record vehicle movements to and from the site shall be submitted to and approved in writing by the Local Planning Authority. The system shall be installed prior to the commencement of use of the site and implemented in accordance with the approved details. The system shall remain in place for the lifetime of the use and the data it collects should be made available to the local planning authority within one month of a formal request.
6. Before the use hereby permitted takes place, details of signing-in and recording arrangements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
7. Other than for first occupancy and clearance of a unit at the end of their term of occupancy, the occupier of each storage unit shall access their unit no more than twice per day and therein; no more than 5840 vehicle movements shall enter or leave the site in any calendar year. The monthly average of 487 shall not be exceeded by more than 10% in any calendar

month. The daily level of 16 shall not be exceeded by more than 20% on any day.

For the avoidance of doubt: 'accessing' the site consists of one two-way movements; the act of entering and then departing; 'first occupancy' is the first day an occupier occupies a unit; and 'clearance' is the last day of occupancy.

8. Before the use hereby permitted takes place, details of external lighting arrangements at the site shall be submitted to and agreed in writing by the local planning authority. The agreed lighting arrangements shall be implemented as approved prior to the first use of the development, and shall thereafter be permanently retained.
9. Before the use hereby permitted takes place, details of refuse storage and removal, including provision for the storage of recyclable materials shall be submitted to, and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be implemented as approved prior to the occupation of the approved use, and shall thereafter be permanently retained for such use.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent re-enactment thereof, with or without modification, the use of the buildings shall be limited to domestic self-storage customers only and for no other purpose or use by commercial entities.
11. There shall be a maximum of 8 self-storage units operating from the site on any occasion. There shall be no sub-letting of any unit.
12. The storage use hereby approved shall be limited to internal storage only. There shall be no external storage on the site nor shall any customer's vehicle be parked in the open on the site outside of operating hours.
13. The site shall be closed to customers of the self-storage facility between 19:00-07:00 each day.

*****End of Schedule*****