



Appeal Decision

Site visit made on 2 July 2024

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2024

Appeal Ref: APP/N2535/W/24/3339840

Grange Farm, Main Street, Broxholme, Lincoln, Lincolnshire LN1 2NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr C Sutcliffe against the decision of West Lindsey District Council.
 - The application reference is 147528.
 - The development proposed is retention of containers used for storage purposes.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development is in a suitable location having regard to the development strategy for the area;
 - the effect of the proposal on the character and appearance of the area; and
 - whether suitable biodiversity net gain has been demonstrated.

Reasons

Development Strategy

3. Policy S1 of the 2023 adopted Central Lincolnshire Local Plan (the Local Plan) sets out the development strategy for the area, based on a settlement hierarchy. The aim is to make the most of existing services and facilities, delivering growth to where it is most needed, and to provide associated opportunities to regenerate urban areas, provide new jobs and new homes in accessible locations, and focus infrastructure improvements where they will have the greatest effect.
4. Broxholme, which comprises a small cluster of properties, is not listed in the settlement hierarchy in Policy S1. For development plan purposes, the site is within the countryside.
5. Part E of Local Plan Policy S5 supports proposals for non-residential development in the countryside subject to several criteria. This includes where the rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by means of proximity to existing established businesses or natural features.

6. Although not specifically referenced in the Council's reason for refusal in relation to this issue, its officer report refers to a conflict with Local Plan Policy S34. This policy relates to non-designated employment proposals in the countryside. Policy S34 limits such proposals to the expansion of an existing employment use and to those that support the growth of the agri-food sector or other land-based rural businesses and buildings, subject to meeting several other criteria including the relevant parts of Policy S5.
7. There is no compelling evidence to substantiate the appellant's claim about the previous storage use of one of the containers on the site. Furthermore, while it may be the case that the roofs of the containers are used to store agricultural items, from the submitted evidence, in my judgement, the main purpose of the development is a commercial storage enterprise. Consequently, based on the evidence before me, the development represents a new business rather than the expansion of an existing one.
8. The appellant's evidence simultaneously refers to the use of the containers by existing businesses in the parish area and by local village residents only. While the appellant wishes to protect the anonymity of his clients, there is no particular evidence to support the assertion about existing businesses. Additionally, Broxholme has only a small number of dwellings which to my mind are unlikely to generate a significant demand for storage facilities.
9. The appellant has submitted some limited information on income from cropped land and the storage containers. However, this is not sufficient for me to conclude that the farming enterprise would be uneconomic without the storage containers.
10. Overall, therefore, no substantive evidence has been submitted to demonstrate that a storage business has a functional need to be located at this particular site; that its location contributes to maintaining or enhancing the rural economy or is justified by means of proximity to existing established businesses or natural features; or that it supports the growth of the agri-food sector or other land-based rural businesses.
11. While noting the support that the Framework gives to achieving a prosperous rural economy, for the reasons given above, there would be conflict with at least one of the required criteria of Part E of Policy S5 as described above. Due to this conflict, I conclude that the development is not in a suitable location having regard to the development strategy for the area.

Character and Appearance

12. The surrounding countryside is characterised by its predominantly rural agricultural landscape. There are some buildings associated with Grange Farm. While these are noticeable in the landscape, they have an agricultural character and appear as a typical farmstead.
13. Due to their form and materiality, the containers have a utilitarian appearance more typical of that found within industrial areas. They have a markedly urbanising effect, introducing an industrial appearance to the site.
14. Some screening of a number of the containers is afforded by the nearby buildings and fencing. Nonetheless, where the containers are visible, particularly from the road in the vicinity of the site, their industrial and utilitarian appearance is markedly at odds with the prevailing rural character of

the area, regardless of their colour. Landscaping would help to reduce the visual impact of the development, but this would take several years to provide any effective screening.

15. The development, particularly the containers nearest to the road, is clearly apparent in local views, and is an unexpected and discordant element in this rural agricultural landscape. Given the visibility of the site and the form of the development, it detracts from, instead of positively contributing to, the area's rural character. Consequently, I conclude that the development has a harmful effect on the character and appearance of the area. It therefore conflicts with Policy S53 of the Local Plan which requires development to achieve high quality sustainable design that contributes positively to local character, landscape, and townscape.

Biodiversity

16. The appellant contends that the lengths of hedges proposed around the storage containers would deliver a larger than 10% increase in biodiversity. However, Policy S61 of the Local Plan requires a demonstrable biodiversity net gain and states that proposals which do not demonstrate that the post-development biodiversity value will exceed the pre-development value of the onsite habitat by a 10% net gain will be refused.
17. While it may be the case that the required biodiversity net gain would be achievable through the planting of the hedges or by other means on land within the appellant's control to achieve an off-site gain, I have been provided with insufficient evidence to demonstrate that this could be achieved. Given this uncertainty, and the requirement of Policy S61 for compliance to be demonstrated prior to a decision, it would not be appropriate to defer consideration of this matter to a planning condition.
18. Consequently, I conclude that suitable biodiversity net gain has not been demonstrated. The proposal therefore fails to comply with Policy S61 of the Local Plan in so far as it relates to the need to demonstrate a biodiversity net gain of at least 10%.

Other Matters

19. Given my findings in respect of the location of the development and the impact on the character and appearance of the area, a condition to restrict the hours of operation would not mitigate the harm identified.
20. Some of the containers are positioned in between the agricultural building on the wider site and nearby dwellings. However, there is no clear evidence that they act as a sound barrier to the farm activities.
21. The appellant argues that the containers have replaced five grain bins of around seven metres in height. However, these were re-positioned in 2005. Furthermore, grain bins are not necessarily an alien feature within a farmstead. It may be that the containers would be put to agricultural use without any restrictions should permission be refused for the storage use, but such a use would not necessarily conflict with the development strategy for the area.
22. None of these other matters outweigh the harm that I have identified.

Conclusion

23. The proposal would conflict with the development plan taken as a whole. There are no material considerations of sufficient weight that would indicate the decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

F Wilkinson

INSPECTOR