



Appeal Decision

Site visit made on 3 December 2024

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2024

Appeal Ref: APP/X3540/W/24/3342705

Town Farm, Town Farm Lane, Kelsale Cum Carlton, Suffolk IP17 2RJ

- 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 PRC and CM Westrope against the decision of East Suffolk Council.
 - The application Ref is DC/23/1966/FUL.
 - The development proposed is change of use of land associated with Town Farm to B8 storage for self-storage containers.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of land associated with Town Farm to B8 Storage for self-storage containers at Town Farm, Town Farm Lane, Kelsale Cum Carlton, Suffolk IP17 2RJ in accordance with the terms of the application, Ref DC/23/1966/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: WPF/SR23/065 – 100_01 and WTF/SR23/065 – 100_02 Rev A.
 - 3) Storage within the self-storage containers hereby permitted shall not commence until the area(s) within the site shown on drawing no. WTF/SR23/065 – 100_02 Rev A for the purposes of loading, unloading, manoeuvring and parking of vehicles has/have been provided and thereafter the area(s) shall be retained, maintained and used for no other purpose.
 - 4) There shall be no external lighting unless prior to installation, details are submitted to the local authority for approval in writing. Only approved lighting shall be installed.

Main Issue

2. The main issue is whether the site is a suitable location for B8 storage having regard to the development plan.

Reasons

3. The site is located off Town Farm Lane, a narrow rural road serving a small number of properties. It is within a complex of agricultural buildings with an extant planning permission for a combination of E(g)(iii) and B8 storage uses,

and the retention of a vehicle repair workshop. It is within the Countryside outside of the defined Settlement Boundaries, where new employment development will not be permitted except where specific policies in the LP or Neighbourhood Plans (NP) indicate otherwise. I have not been directed to any adopted NP.

4. LP Policy SCLP4.5 addresses economic development in rural areas and states that proposals will be supported where several criteria are satisfied. LP Policy SCLP4.7 indicates that proposals for farm diversification schemes to support the continued viability of the farm will be supported subject to several criteria, many of which reflect the requirements of Policy SCLP4.5.
5. The proposal would be outside of, and unrelated to the use of, the existing buildings within the complex. In addition, the stationing of the storage containers on the site is unlikely to directly create employment. However, there is nothing before me to suggest that such factors prevent the proposal from being a genuine diversification scheme. Whilst limited information has been provided by the appellant, there is no doubt that it would introduce a new revenue stream. Furthermore, in the absence of any compelling evidence to the contrary, I am satisfied that the proposed non-agricultural business venture would not replace but would support traditional farming activities. As such, contrary to the Council's position, I am satisfied that the proposal would constitute a farm diversification scheme.
6. The appellant considers that the site is previously developed land, which is not disputed by the Council, and based on the information before me, I agree. The proposed use would be compatible with, and relate well to, the permitted employment uses within the complex, and would have a localised, and not harmful, impact on the character of the surrounding area and landscape. Acceptable parking and access would be provided.
7. Town Farm Lane is identified as a 'Quiet Lane', a nationally recognised designation of a single-track road, typically with less than 1,000 vehicles using it per day. The concept does not seek to restrict motor vehicles on such a route, but to encourage considerate use of the road, so it can be shared and enjoyed by all.
8. The submitted Transport Appraisal (TA) sets out that an automatic traffic count undertaken for one week, showed an average of 65 two-way daily movements on Town Farm Lane. Using established TRICS¹ information, the TA estimates that the proposal would generate 12 additional vehicle movements per day which, when combined with the traffic generated by the permitted uses within the complex, would increase the two-way daily movements on Town Farm Lane to 114. In the absence of any substantive evidence to suggest that it is not robust and reliable, I find no reason to dispute the findings of the TA.
9. The proposal would not, therefore, result in an increase in vehicle use to the extent that Town Farm Lane would no longer be a 'Quiet Lane', even when other developments referred to by interested parties are taken into consideration. As such, there is no basis to conclude that the enjoyment of other highway users, such as pedestrians and cyclists, would be materially

¹ Trip Rate Information Computer System

diminished by the proposal. Furthermore, it would not have an unacceptable impact on highway safety, as acknowledged by the Council.

10. The Council contends that the proposal does not meet criterion a) of LP Policy SCLP4.7 as farming activities would not remain the predominate use on the site. However, it is unclear what is meant by the 'site'. If the wider agricultural holding is the 'site' for the purposes of this policy, I am in no doubt that even when the permitted change of use of the farm buildings are taken into consideration, farming activities would remain the predominate use. If, conversely, the 'site' is deemed to be the complex of buildings, it has already been accepted that farming activities would no longer be the predominate use by the granting of the extant planning permission, and the proposal would not change that.
11. Accordingly, for the reasons given above, and in the absence of any identified conflict with the other criteria, I find that the proposal accords with LP Policies SCLP4.5 and SCLP4.7.
12. Contrary to the requirements of SCLP Policy 4.2, it has not been demonstrated that there are no other suitable, available or achievable sites on sequentially preferable land. However, I have found that the proposal accords with LP Policies SCLP4.5 and SCLP4.7, which I consider are the most dominant policies of the development plan, as they specifically address economic development in rural areas. As such, I attach limited weight to such conflict.
13. Therefore, I find that the appeal site is a suitable location for B8 storage and, as set out above, would accord with LP Policies SCLP4.5 and SCLP4.7. In addition, there would be no conflict with LP Policy SCLP7.1 as it would not have an adverse transport impact.

Conditions

14. The Council provided me with a list of suggested conditions, which I have reviewed in line with guidance and best practice.
15. I have imposed the standard time limit condition, and, in the interests of certainty, a condition that specifies that the development is carried out in accordance with the approved plans.
16. I have included a condition relating to parking and manoeuvring to ensure that the development does not lead to conflict with other uses of the complex or adversely impact highway safety. I have also imposed a condition controlling external lighting to mitigate its potential effects on wildlife and on the countryside.

Conclusion

17. For the reasons given above I conclude that the proposal accords with the development plan when taken as a whole and there are no material considerations which indicate that the decision should be taken otherwise than in accordance with it. Consequently, the appeal should be allowed.

Elaine Moulton

INSPECTOR