



Appeal Decision

Site visit made on 14 January 2025

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 March 2025

Appeal Ref: APP/C3430/W/23/3326541

Saunders Brothers Salvage, Prestwood Drive, Stourton, Staffordshire DY7 5QT

- 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 Saunders Brothers Salvage against the decision of South Staffordshire District Council.
 - The application Ref is 22/00727/FUL.
 - The development proposed is the siting of 31 containers for self-storage.
 - This decision supersedes that issued on 7 February 2024. That decision on the appeal was quashed by order of the High Court.
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Decision

1. The appeal is allowed and planning permission is granted for the siting of 31 containers for self-storage at Saunders Brothers Salvage, Prestwood Drive, Stourton, Staffordshire DY7 5QT, in accordance with the terms of the application, Ref 22/00727/FUL, including the following plans and drawings: Site Location and Site Block Plan: WHB-SA[20]0001 Rev P00; Shipping Container Plan and Elevations: WHB-MA[20]0001 Rev P00; and Site Plan as Proposed: WHB-SA[20]0002 Rev P00, and subject to the Schedule of Conditions attached to this Decision.

Preliminary Matters

2. Because 'retrospective' is not an act of development, I have removed this term from my formal Decision.
3. I observed that there were 31 storage containers on site in broadly the same position and layout as shown on drawing: Site Plan as Proposed: WHB-SA[20]0002 Rev P00. However, I have determined the appeal on the basis of the submitted drawings.
4. The appeal site is located within the Green Belt. Since the application was determined, the revised version of the National Planning Policy Framework (as amended) was published in December 2024 ('the Framework'). Because the revised Framework includes some changes to the Governments Green Belt Policy, the main parties were given an opportunity to comment on the appeal in light of the Framework and I have taken account of any submissions.

Main Issues

5. The main issues are:
 - i) Whether the proposal is inappropriate development in the Green Belt having regard to the Framework and the development plan; and,

- ii) The effect of the proposal on the Stourbridge Canal Conservation Area ('SCCA') and its setting.

Reasons

Green Belt

6. Policy GB1 of the South Staffordshire Core Strategy ('CS') says that development considered acceptable under national policy will normally be permitted in the Green Belt. It then sets out a number of such types of development, including the material change of use of land where there would be no material effect on the openness of the Green Belt, or the fulfilment of its purposes. This Policy is broadly consistent with the Framework, which identifies that material changes in the use of land, are not inappropriate development provided they preserve its openness and do not conflict with the purposes of including land within it.
7. The essential characteristics of Green Belts are their openness and permanence. The openness of the Green Belt has a spatial aspect as well as a visual aspect.
8. The 31 storage containers rest on a hardstanding base and are mostly positioned along the eastern boundary of the site, which is adjacent to the canal. On the information before me, this part of the appeal site was previously used for the storage of vehicles, including lorries, to be dismantled, as is currently undertaken across the wider appeal site. Therefore, I have no reason to consider that this is not the lawful use and the use to which the area presently used for the storage of containers could be used for if this appeal were dismissed.
9. Given the nature of the extant use for the appeal site, individual vehicles, including lorries, once completely dismantled would not have been permanently retained on the appeal site and hence there is a transient element to this use. Even so, and on the evidence before me, it is more than likely that once a dismantled vehicle would be removed, this would have been replaced with another vehicle requiring dismantling. As such, there would have been a continuous spatial and visual impact on the Green Belt associated with the former use of the area occupied by the storage containers.
10. Also, there appear to be no planning controls on how vehicles at the appeal site are stored or arranged. Based on my observations, whilst the vehicles on the appeal site are of varying heights, because these are arranged together, the overall scale and massing of these is not dissimilar to the storage containers.
11. Moreover, due to their simple, flat roofed and similar forms, and linear arrangement, the storage containers appear less visually and spatially obtrusive than the irregular arrangement and inconsistent appearance of the stored vehicles in their various stages of being dismantled.
12. As a consequence of the proposal, the vehicle storage has been moved away from the eastern boundary of the appeal site. Furthermore, to allow access to the storage containers and for loading and unloading purposes, the associated hardstanding area, which occupies a comparable footprint to the storage containers, would need to be kept free for these purposes. Therefore, and given the more ordered appearance and arrangement of the storage containers, the proposal does not cause harm to the openness of the Green Belt.

13. From along Prestwood Drive, the only view of the storage containers is via the appeal site's gated vehicular access when the gates are open. Even then, from along here, the views of the storage containers are, in part, filtered by the structure of a large electricity pylon and some tree planting, which would be augmented by new planting through a landscaping condition if the appeal succeeds.
14. Along the eastern boundary of the appeal site there is a palisade fence supplemented with green netting. This, in combination with the trees and bushes on the verge between the canal towpath and the appeal site form an extensive boundary treatment along here. Because of this and the elevated nature of the appeal site relative to the towpath, there are no clear views of the storage containers from this side of the canal.
15. A public footpath flanks the opposite side of the canal, but at a higher level; similar to the level of the appeal site. From here, and from the bridge across the canal, glimpsed views above the fencing, of the tops of some of the containers are available. However, it is likely that vehicles previously stored in these areas would have been similarly visible from these positions.
16. I also observed that because of the changes in levels across the appeal site and varying heights of the vehicle storage taking place here, from certain vantage points, the vehicle storage is more apparent than the storage containers.
17. Drawing on the above reasons, the proposal has no material effect on the openness of the Green Belt. Accordingly, the openness of the Green Belt is preserved.
18. Turning to the purposes of the Green Belt, because the proposal relates to part of an established industrial site, there is no encroachment into the countryside. On the information before me, there is nothing to suggest that the proposal conflicts with any of the other purposes of the Green Belt listed in paragraph 143 of the Framework.
19. Consequently, the proposal does not constitute inappropriate development in the Green Belt and is therefore permitted under Policy GB1 of the CS and the Green Belt provisions of the Framework.

Effect on the SCCA

20. The extent of the SCCA mainly includes the canal and its verges. Based on my observations, its significance largely stems from its industrial past, though its use today as a largely recreational route adds a different aspect to its significance. The land to either side of the canal is mostly rural in character with a few small commercial uses. This mix of commercial and rural land uses contribute to the SCCA and its setting and complement its significance.
21. The existing industrial use of the appeal site forms part of the character and setting of the SCCA. Given what the site can already be used for, the proposal has no greater effect on the SCCA or its setting.
22. As such, the significance of the SCCA is preserved. The development therefore accords with CS Policy EQ3, which seeks to ensure the conservation of the District's historic environment.

Other matters

23. The Council's Planning Committee report for the application identifies that, to support the spatial strategy, growth should be focused on existing settlements. The appeal site is detached from any settlement. However, as the development involves the use of an existing industrial site there is no spatial growth and the settlement pattern of the District is unaffected.
24. Conflict with CS Policy EV5, which relates to rural employment, is also cited in the Planning Committee report but not identified as a reason for refusal. This Policy supports Core Policy 9 of the CS, which supports the diversification of the rural economy and focuses specifically on support for sustainable rural employment consistent with the Framework. Therefore, whilst there may be conflict with some specific parts of CS Policy EV5, I give limited weight to this conflict. This is because the development is a small scale change to an established industrial site and therefore supports the overarching aims of this Policy for rural diversification. Moreover, Core Policy 7 of the CS seeks to sustain, among other things, small scale employment development in rural areas.
25. Concern was raised by the Council's Flood Risk Management Team. However, I concur with the conclusions of the submitted drainage strategy that the stationing of the storage containers would be little different to the stationing of vehicles on this part of the site in terms of the impact on surface water. Additionally, the topography of the site is such that any surface water which does not infiltrate into the existing semi permeable granular surface, will run-off towards the centre of the site, away from the canal, where it discharges into a soakaway.
26. The Council has referred me to 'The Farm Shop' dismissed appeal decision¹. This relates to a retrospective planning application for the siting of storage containers within the Green Belt of South Staffordshire District. In this appeal, the Inspector concluded that the proposal was inappropriate development in the Green Belt. Nevertheless, this appeal relates to a site which was agricultural land without buildings and in a location which appears to be more prominent relative to the location of the site before me. Therefore, on the basis of the information available, I do not consider that The Farm Shop appeal is directly comparable to the proposal before me. Therefore, I attach limited weight to this dismissed appeal.

Conditions

27. In imposing conditions, I have had regard to the Framework and the Planning Practice Guidance. I have not specified a condition relating to the approved plans and drawings because the development has already been carried out. Nevertheless, I have referred to these in the effective part of my Decision.
28. The provision of a landscaping scheme is necessary to enhance the character and appearance of the area. I have included a condition seeking to control external lighting in the interests of safeguarding biodiversity and the character and appearance of the area.
29. Because my assessment of the proposal in respect of the Green Belt and the SCCA is based on the specific size, number and layout of storage containers as proposed, and to ensure that this is maintained as approved, a condition

¹ APP/C3430/W/22/3308340

specifying the maximum number and size of storage containers allowed and their arrangement at the appeal site is reasonable and necessary.

30. Whilst there is a presumption against inappropriate development in the Green Belt, the national permitted development rights for 'gates, fences, walls or other means of enclosure' also apply to land within the Green Belt. Therefore, and in accordance with the Framework, in this case, there is no clear justification to restrict such permitted development rights.
31. A condition limiting operational hours was suggested by a third party. However, I understand the extant salvage use is unrestricted in terms of its operating hours, and it is unlikely that the self-storage use would be any more disruptive in terms of causing unacceptable noise or disturbance at night, than that use. I also note that there are no dwellings in proximity to the container storage area. Therefore, such a condition is not necessary.
32. Where necessary, and in the interests of clarity and precision, I have altered the recommended conditions.

Conclusion

33. For the above reasons, I conclude that the appeal should be allowed.

M Aqbal

INSPECTOR

Schedule of Conditions

- 1)
 - i) Within three months of the date of this permission, a landscaping scheme, including further planting around the access drive, together with a timetable for its implementation shall be submitted for approval to the local planning authority.
 - ii) Once approved in writing by the local planning authority, the approved landscaping shall be carried out in accordance with the agreed timetable.
 - iii) Any trees or plants which within a period of 5 years from the first planting season die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 2) Prior to its installation, the details of any external lighting at the development site required in connection with the storage containers shall be submitted to and approved in writing by the local planning authority. Thereafter, the external lighting shall be provided and maintained in accordance with the approved details.
- 3) There shall be no more than 31 storage containers stored at the development site at any one time and such storage containers shall be arranged as shown on the approved drawing: Site Plan as Proposed: WHB-SA[20]0002 Rev P00. The storage containers shall be of the size shown on approved drawing: Shipping Container Plan and Elevations: WHB-MA[20]0001 Rev P00.