



Appeal Decision

Site visit made on 6 August 2025

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2025

Appeal Ref: APP/X2410/W/25/3363357

Whatoff Lodge Farm, Woodhouse Road, Quorn, Leicestershire, LE12 8AL

- 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 R Thomas of J.B Thomas & Son against the decision of Charnwood Borough Council.
- The application Ref is P/24/0653/2.
- The development is change of use of agricultural land to event flooring storage.

Decision

1. The appeal is allowed, and planning permission is granted for change of use of agricultural land to event flooring storage, at Whatoff Lodge Farm, Woodhouse Road, Quorn, Leicestershire, LE12 8AL, in accordance with the terms of the application, Ref P/24/0653/2, subject to the following conditions:
 - 1) The development hereby permitted relates to the red line area shown measuring 12.5 metres x 46 metres on the 1:1250 scale site plan and the 1:2500 scale location plan, which includes the adjoining access track and access road to the site from Woodhouse Road.
 - 2) The site shall be used for the storage of event flooring only and no other purpose, including any other storage and distribution use falling within Class B8 of the Use Classes Order.
 - 3) Materials stored on site shall at no time be stacked above a height of 2.0 metres measured from ground level.

Preliminary Matters and Background

2. The application form indicates that the change of use occurred in May 2014. This is undisputed and appears to be backed up by the historic aerial images shown in the council's report. As such planning permission is sought retrospectively. I have not been advised that an enforcement notice has been served, that the use would not be immune from enforcement action given the passage of time or that a lawful development certificate would not be granted for the use, which would not be subject to any policy requirements or conditions. These factors, together with the absence of any evidence of complaints regarding the development, are material considerations of significant weight.
3. I acknowledge that the emerging local plan is at an advanced stage and as such is a material consideration. However, the council's statement advises that the draft local plan 2021 has been subject to modifications and further consultations. As I have not been advised whether any modifications have been made to any of the 2021 draft policies I have been sent, I have afforded this limited weight.

Main Issues

4. The main issues are i) whether the site is a suitable location for the use; and the effect of the development on ii) highway safety; iii) the character and appearance of the countryside; and iv) biodiversity.

Reasons

Location

5. The site is in the countryside on part of a farm that has diversified into multiple uses in order to generate additional income. The event flooring and adjoining tree surgery businesses share part of a concrete base, which appears from the council's aerial images to date back to at least 1999, when it was used for agricultural storage. Images show that by 2006 the storage area had been extended to the northwest and southwest creating the roughly triangular area that is now occupied by the two businesses, and that since that time the area has continuously been used for storing large bulky items.
6. The storage area in question covers an area of 575sqm (46m x 12.5m). There is an access track to the front of it and an earth bund measuring approximately 1.2m high around the side and rear of the site. The final side adjoins the tree surgery business.
7. The portable event flooring which is stored on pallets and is stacked at heights not exceeding 2m above ground level, is hired to cover fields and pitches at outdoor events. It is collected from the site and delivered to event locations where it will remain in situ for varying periods of time before it is collected and returned to the site for storing until required again.
8. Policy CS1 of the Charnwood Local Plan 2011 to 2028 Core Strategy adopted November 2015 (the CS) sets out the strategy for the area directing most new housing and employment growth towards Leicester urban area, Loughborough and Shepshed, followed by service centres, which include Quorn. However, this is not a restrictive policy and does not seek to prevent development outside of these areas.
9. Employment sites in built up areas are generally much larger than the appeal site and are better suited to businesses employing large numbers of people that would need to travel to the site daily and those generating significant traffic movements both within, and to and from the site.
10. The use before me does not require any staff to be present other than when collecting or returning the flooring, and the site comprises no buildings, staff facilities, lighting or security fencing. The size and number of vehicles required to transport the flooring is dependent upon the area of flooring required for each event. Vehicles used to deliver the flooring are not kept on site. As the storage of event flooring does not need to be indoors or heavily secured and does not create permanent site-based jobs, it does not require purpose-built warehouse accommodation and would not make very effective use of such space.
11. Policy CS10 of the CS supports farm diversification where farming remains the dominant element of the business and where the scale and operation is not detrimental to the character and appearance of the countryside. The development utilises a very small area of the long-established farm site and the income

generated by the rental of this area and rental of the farmer's forklift truck, supports the farm business. It was evident from my visit that despite several small businesses operating from the farm, the arable and livestock farming remains dominant.

12. Policy CT/1 of the Borough of Charnwood Local Plan 1991-2006 adopted January 2004 (the LP), whilst supportive of development that facilitates the diversification of the rural economy, requires it to be demonstrated that such proposals could not be reasonably located within or adjacent to an existing settlement. This policy pre-dates the Framework, and is not consistent with it, as such I afford any conflict with this requirement very little weight. Moreover, given that in this case the development is required in this location to generate additional income to support the farm, I fail to see how locating it elsewhere would achieve this.
13. Policy S1 of the Quorn Neighbourhood Plan 2018-2036 (the NP) and paragraph 88 of the National Planning Policy Framework (the Framework) also support farm diversification for the viability of agriculture and the development and diversification of agricultural businesses.
14. Whilst I acknowledge that the use is not one that necessarily requires a rural location, I am satisfied that the site is an appropriate location for this small-scale outdoor storage use, which occupies a former agricultural storage area and supports the income of the wider farming enterprise. I therefore conclude that the development accords with policies CS1 and CS10 of the CS, policy CT/1 of the LP, policy S1 of the NP and paragraph 88 of the Framework, which despite steering most new development towards larger settlements and allocated sites, also support the development and diversification of agricultural businesses. Any minor conflict with these policies or emerging policies would in any event be outweighed by the fact that the use has been operating for a significant period and is most likely immune from enforcement action.

Highway safety

15. The site is accessed along a private road off Woodhouse Road, which is a classified C road, subject to the national speed limit. The private road is in good condition, is wide enough in parts for smaller vans and cars to pass and has passing places for larger vehicles. It has a loose stone surface for most of its approximate 360 metre length, beyond the initial dropped kerb crossover. There are no gates across the access and its junction with Woodhouse Road is surfaced, is wide enough for two vehicles to pass and has good visibility in both directions.
16. I have not been made aware of any accidents or problems resulting from the development over the last 11 years. Whilst I acknowledge that there have been accidents within 500m of the site access, there is no evidence before me to suggest that these were caused by or linked to the use of the site or its access, which has existed and has served heavy farm machinery and associated HGV movements carrying livestock and crops for very many years.
17. There is plenty of space to park and turn within the site or at the T junction at the northwestern end of the access track, approximately 360m away from the public highway. At the time of my visit there was a HGV on the tree surgery site, which had clearly reversed in from the top of the private access road. It is likely any large vehicles to the appeal site would do the same, and I can foresee no reason why

any large vehicle would need to attempt to reverse out of the site access onto the public highway.

18. The information provided demonstrates that the use generates limited traffic movements, which is accepted by the local highway authority (LHA). The LHA has also confirmed that visibility splays at the site entrance are appropriate having regard to the passing speed of traffic, and that the development would not generate on-street parking. Whilst I am mindful of the cumulative effect of multiple businesses operating across the wider farm site using the same access, much of the heavy farm traffic and campsite traffic movements would be seasonal. The evidence before me is that most movements to most uses are by cars and vans and are limited to 1 or 2 movements in and out per day. Large vehicle movements to and from the appeal site are approximately 3 times per week with the tree surgery business generating approximately 5 light lorry movements in and out of the site per week. Given the irregular and infrequent nature of the larger vehicle movements along the private access road, it is my view that the limited movements associated with the appeal site do not result in harm to highway safety.
19. Policy TT1 of the NP relates to development resulting in an increase in vehicular traffic on the rural highway network. Woodhouse Road is a wide road catering for two-way traffic and has a footpath along one side. The site is served by a private access road and is set back approximately 360m from the public highway. The use does not generate significant traffic movements, parking requirements or parking on the public highway, which is a significant distance away, and as such improvements to the highway network would not be reasonably necessary, particularly as the site has been operating for over 10 years without any highway complaints.
20. As I am satisfied that the use does not generate significant traffic movements and that the site has safe and suitable access for all users, I find no conflict with paragraph 115(b) of the Framework (formerly paragraph 114(b)) or policy TT1 of the NP. Policies CS18 of the CS and TR/18 of the LP, which set out how the efficiency of the local and strategic road network will be maximised and relate to off-street parking provision, are not relevant to the highway objection or reason for refusal.

Character and appearance

21. As demonstrated by aerial imagery in the council's report, the site has historically been used as a storage area for large bulky items, originally in connection with agriculture, with little or no short distance screening. The storage area is approximately 575sqm comprising a concrete pad and compacted bare ground. It sits adjacent to an area used in connection with a tree surgery business and is partially screened by an earth bund approximately 1.2m high, plus some overgrowth. Flooring is not stacked higher than 2m above ground level. The site is not highly visible in long distance views from public roads or the public right of way due to the presence of intervening trees and hedges along field boundaries.
22. There is no evidence before me to suggest how the use disrupts the peace and tranquillity of the countryside or the Charnwood Forest Country Park, given its relationship to a working farm and tree surgery business and given that its operational requirements are limited to occasional visits to load or unload flooring.

23. I therefore conclude that the use does not result in harm to the character and appearance of the countryside, the country park, or the tranquillity it provides. As such it accords with Policies CS10, CS11 and CS12 of the CS, and policies EV/1, and CT/2 of the LP, which seek to protect these. Policies CS1 of the CS and CT/1 of the LP are not relevant to this matter.

Biodiversity

24. Although the application was submitted after 2 April 2024, as planning permission is sought retrospectively, it is exempt from the mandatory biodiversity net gain requirements. Furthermore, it is evident from the information and historical images before me that the area was previously used for agricultural storage and that the change of use resulted in no loss of ecological features. Accordingly, there is no conflict with policy CS13 of the CS, policy ENV6 of the NP or paragraph 187 of the Framework (previously paragraph 180), which seek to protect and enhance biodiversity.

Conditions

25. Paragraph 57 of the Framework is clear that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Both the local planning and local highway authority have suggested conditions, which I have considered against these six tests.
26. A condition to restrict the use to the storage of event flooring is necessary as the development has been assessed on this basis and other storage and distribution operations falling within the same B8 use class could have significantly different effects. For the same reason, it is reasonable to restrict the maximum storage height to 2m above ground level. A condition to confirm the approved site boundary plan is necessary to provide certainty.
27. As I have concluded that the development is not harmful to the character and appearance of the area, a landscaping condition is not necessary. As I have also concluded that the use has not generated a significant increase in traffic movements, that the existing access is adequate to safely serve the development, as it has been doing for the last 10 years or so, and has good visibility in both directions, the conditions seeking access improvements, visibility splays, and to prevent the erection of gates, barriers, bollards etc, which I have no reason to suspect would be likely to occur anywhere near the junction, are not necessary. A condition to restrict vehicle movements to Whatoff Lodge, to those submitted during the application process, would be unlikely to be enforceable given the number of businesses operating from the site, their seasonal and varied nature, and the fact they are all outside of the red line boundary except for the event flooring business.

Conclusion

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

R Bartlett

INSPECTOR