The Planning Inspectorate

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Your Ref: PL/2023/07051
Our Ref: APP/Y3940/W/24/3345259

21 January 2025

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Boyes Transport
Site Address: Boyes Transport Yard, B3092, Zeals, BA12 6LJ

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure.

If you do not have internet access please write to the Customer Quality Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey

Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

Xavia McMillan
Xavia McMillan

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Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - https://www.gov.uk/appeal-planning-inspectorate

Planning Inspectorate

Appeal Decision

Site visit made on 8 January 2025

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2025

Appeal Ref: APP/Y3940/W/24/3345259
Boyes Transport Yard, B3092, Zeals BA12 6LJ

- 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 Stephen and Charles Boyes of Boyes Transport against the decision of Wiltshire Council.
- The application Ref is PL/2023/07051.
- The development proposed is the siting of 7 No. shipping containers to provide storage for existing transport yard.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At my site visit I noted that some shipping containers have been positioned on the site. However, I have determined the appeal based on the submitted plans and documents.

3. In 2022 planning permission[1] was granted for "Proposed 0.13 ha extension to existing 0.52 ha Boyes Transport Yard for use as a 60ft x 70ft (18.29m x 21.34m x 7.1m (h)) HGV and trailer workshop, new concrete yard, oil interceptor and landscaping, retaining max 15 car parking spaces and max 15 lorry and trailer parking spaces." (the 2022 planning permission). I have had regard to this insofar as it is relevant to the appeal.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area, including its effect on the landscape and scenic beauty of the Cranborne Chase National Landscape.

Reasons

5. The appeal site comprises an existing transport yard accessed via the road which provides access to Zeals from the A303. The site is located within the Cranbourne Chase National Landscape (NL), the special qualities of which include large rectangular fields with scattered areas of woodland and hedgerows.

6. The appeal site is part of a pocket of development within the open countryside comprising a number of buildings and areas of hardstanding. This includes the adjacent day nursery to the east and tarmac surfacing company to the west. The

[1] PL/2022/01499

majority of the buildings associated with these uses are set away from the roadside and are not excessively prominent in views from the road. Any structures located adjacent to the road at the site of the tarmac surfacing company are well screened from the road by mature landscaping and given the relatively narrow frontage of the site do not appear prominent in the street scene. A small number of dwellings also exist to the west of the appeal site. The dwellings are of a modest domestic scale, are well spaced and benefit from mature landscaping.

7. The appeal site is an established commercial business on a site which is understood to formerly have been part of a WW2 airfield site. It is primarily laid to hardstanding and the Heavy Goods Vehicles (HGV) and trailer workshop permitted as part of the 2022 planning permission has been built in the north-west corner of the site. The approved parking layout comprises 15 HGV parking spaces adjacent to the northern boundary of the site and 15 parking spaces adjacent to the western boundary of the site.

8. The site has an extensive frontage, and the transport yard has an obvious physical presence within the landscape owing to the existing fencing, access, workshop and the presence of vehicles on the site. However, the approved layout involves the positioning of the larger vehicles and the workshop towards the rear of the site where they are viewed against a backdrop of tall trees, leaving the frontage of the site relatively free of vehicles or structures and the approved scheme included landscaping along the southern boundary.

9. Consequently, although there is built form in the landscape it sits relatively unobtrusively within it. Beyond the pocket of development within which the appeal site is located there are fields and wooded areas which are typical of the NL.

10. The siting of seven shipping containers adjacent to the southern boundary of the appeal site would introduce new structures on the most visually prominent part of the appeal site, adjacent to the road and footpath. Located side-by-side in the manner proposed, they would represent a long, linear mass which would extend for a significant length along the site frontage.

11. The landscaping adjacent to the boundary of the site would soften the effect of the containers to some degree. However, given their overall scale they are likely to be at least partially visible above and through the boundary planting from the adjacent road and footpath. Even if the containers were painted green, they would be overtly industrial in appearance and due to the combined size of the structures and their prominent position on the site would represent a significant visual incursion into the area.

12. Furthermore, 3 of the containers would be used for MOTs with vehicles loaded onto a trailer for the MOT test. The presence of these large vehicles, loaded on trailers on this part of the site, whilst the tests were being carried out would add to the visual incursion and clutter on this part of the site.

13. I have a duty under Section 245 of the Levelling-up and Regeneration Act 2023 (LURA) to seek to further the statutory purposes of protected landscapes, including NLs. The primary purpose of the designation of NLs is conserving and enhancing the natural beauty of the area.

14. I acknowledge that the site is already in commercial use and has a visual presence in the landscape. However, for the reasons given above, the proposal would result

in additional harm to the landscape character and appearance of the area as a result of the prominent positioning and combined size of the structures. Consequently, I find that the proposal conflicts with the primary purpose of the designation of the NL and fails to conserve and enhance the natural beauty of the area.

15. I conclude that the proposed development would have a harmful effect on the character and appearance of the area and a harmful effect on the landscape and scenic beauty of the NL. It therefore conflicts with Core Policy 51 of the Wiltshire Core Strategy (Adopted 2015) which seeks to ensure that development should protect, conserve and where possible enhance landscape character.

Other Matters

16. The appellant contends that the containers are necessary for the running of the business. Three of the containers would be used for MOTs and the remainder would be used for the storage of tyres and parts. The appeal statement refers to a requirement for the vehicles to be checked every 6 weeks in addition to MOTs however this is not the stated intended use of the containers. A three-bay workshop building which was part of the 2022 permission has been erected at the site, however the appellant contends that this is not big enough to provide for the requirements of the business.

17. Having the capacity to carry out MOTs on the site would undoubtedly be convenient for the appellant and negate the need for additional journeys to an alternative location. I also recognise that the storage space would be useful to the business. The evidence is relatively limited in respect of the requirement for the quantum of storage proposed and the reasons why the MOTs could not be carried out within the existing workshop building. I nevertheless acknowledge that the proposal would be likely to result in some economic benefits and afford this moderate weight.

Planning Balance and Conclusion

18. The National Planning Policy Framework at paragraph 189 states that great weight should be given to conserving and enhancing landscape and scenic beauty in NLs. Whilst I afford moderate weight to the benefits of the proposal, they would not be sufficient to outweigh the harm which I have identified in respect of the character and appearance of the area, including the NL.

19. I conclude that the proposal conflicts with the development plan as a whole and the material considerations, including the Framework do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

E Pickernell

INSPECTOR