
Appeal Decision

Site visit made on 21 March 2017

by R W Allen B.Sc PGDip MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 April 2017

Appeal Ref: APP/E9505/W/16/3164553

Land at Griffin Lane, Postwick, Thorpe St. Andrew, Norwich NR7 0SL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr B Knight (BCK Marine) against the decision of The Broads Planning Authority.
 - The application Ref BA/2016/0158/FUL, dated 18 April 2016, was refused by notice dated 24 June 2016.
 - The development proposed is the erection of a 100sq.m building with ancillary office accommodation; the siting of a 40ft. steel storage container and wheeled shelter in connection with the storage, repair and maintenance of boats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area; and
 - The effect of the proposed development on the local highway network.

Reasons

Effect on character and appearance

3. The appeal site is a vacant parcel of land largely surrounded by waterways, buildings and structures associated with boating activities. The site is enclosed with a fence, and is in an unkempt condition comprising overgrown planting, sporadic mounds of material, and what appears to be dilapidated boats. A large warehouse-type structure exists on land a short distance to the south of the appeal site which is used by the Broads Authority. Access to the appeal site is achieved via Griffin Lane, which is a narrow rural-like road and which underpasses a railway line.
 4. While supportive of the value and continued use of boatyards in this location, policy TSA 3 (Griffin Lane boatyards and industrial area) of the Council's Site Specific Policies Local Plan 2013 – 2028 (2014) (Site Specific) nevertheless requires that environmental and landscape improvements to this area will be sought, and that development in the area will not be permitted except where it furthers these objectives.
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5. The proposed boat repair workshop building is rather basic and uninspiringly designed. However, it would be positioned at the back of the site so would not be particularly prominent, and it would be functional for its needs and not wholly inconsistent in design or appearance to many of the surrounding buildings in the locality. While I note that the Council seeks an improved building design, it has not advanced sufficient explanation as to what it would expect to see given the intended use. In the absence of evidence to the contrary, I do not find that the proposed building would be harmful to the character and appearance of the area.
6. Both the proposed wheeled shelter and storage container would not in my judgement amount to dominant or prominent structures on the site and they would not detract from the area's character and appearance. That said, I find such structures should be removed if the use of the site were to cease, and I am satisfied that this could be controlled by the imposition of a planning condition as suggested by the Council. I agree with the Council that the most appropriate location for the wheeled shelter would be to the area shown as adjacent to the boat repair workshop, indicated as '*temporary location of 6.4 x 9.3m wheeled shelter*' on the submitted drawing, and I am satisfied that this also could be secured by the imposition of planning condition.
7. In the absence of sufficient evidence to the contrary, I find no obvious reason why a landscaping scheme, secured by way of a planning condition and submitted after a grant of planning permission, would not be capable of being an integral part of the scheme, or would not have the desired effect of successfully integrating and improving the site's appearance, the landscape and local environment.
8. For these reasons and having regard to the current unkempt condition of the appeal site, I find that the proposed development would improve the local environment. It would accord with the relevant parts of Site Specific policy TSA 3, details of which I have set out above. It would also accord with policy DP4 of the Council's Development Management Policies 2011 – 2021 Development Plan Document 2011 (DMP). This states that all development will be expected to be of a high design quality and should integrate effectively with its surroundings, reinforce local distinctiveness and landscape character.

Effect on local highway network

9. The second strand to Site Specific policy TSA 3 states that development will not be permitted except where it is compatible with the restricted road access to the area and other highway constraints. The thrust of the Authority's concerns centre on what is considered being unspecified traffic movements from the appeal site, and the effect this would have on the Griffin Lane and Yarmouth Road junction. The appellant's transport assessment (TA) identifies that the proposed development would generate, as a worse-case scenario, less than 10 two-way vehicle movements per day for staff, and less than 10 two-way vehicle movements per week for uses associated with the storage containers, which taken at face value is not significant.
10. However, the TA is predicated on a different scheme for the appeal site which pre-dates the appeal proposal. It is not obvious on the evidence before me that the two schemes are in anyway similar. But even if I were to accept that they are, I find the TA is silent on such matters as the quantum and type of vehicles associated with the movements identified above, or with delivery or

customer visitations, and whether they can be adequately and safely accommodated at the Griffin Lane and Yarmouth Road junction. The adequacy of the TA was a specific concern of the Inspector on the previous appeal scheme for the site (*Ref; APP/E9505/A/12/2177093 for industrial unit 200 sq.m + 4 storage container*), and I have no reason to form a different view.

11. I therefore find on the evidence before me that I am unable to conclude with any degree of certainty that the proposed development, even accounting that it would be a 'one-man operation', would not cause significant harm to the local highway network, particularly given the limitations and restrictions of the junction and Griffin Lane and the railway underpass. The proposed development would not accord with the relevant parts of Site Specific policy TSA 3, details of which I have set out above. The proposed development would also not accord with DMP policy DP11. This states that development proposals that need to be accessed by land shall be assessed in terms of their impact upon the highway network in respect of traffic capacity, highway safety.
12. I do not have the specific details before me of the consenting process of the Authority's own yard nearby to draw any direct or relative comparisons to the appeal scheme, and as such that it has little bearing on my decision. In any event, I have made my decision on the evidence before me, and from my observations at my site visit.

Conclusion

13. While I find the proposed development would improve the character and appearance of the site, for the reasons given above in respect to highway safety, I conclude that the appeal should be dismissed.

R Allen

INSPECTOR