
Appeal Decision

Site visit made on 1 August 2017

by Alex Hutson MATP CMLI MARborA

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

Decision date: 30 August 2017

Appeal Ref: APP/M3645/W/17/3168251

Former Blue Prince Mushroom Production Facility, Bridges Wood, Burstow, Surrey RH6 9TG

- 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 Ace Airport Parking Ltd against the decision of Tandridge District Council.
 - The application Ref TA/2016/141, dated 25 January 2016, was refused by notice dated 29 July 2016.
 - The development proposed is change of use of the buildings to provide for the storage of cars (Class B8), airport parking (Sui Generis) and the relocation of the 'In Autos' car storage facility; revised application with additional vehicle database management information further to application TA/2015/1320; in the alternative to extant permission granted under 2006/1629 for change of use of buildings to provide 13,460 sq m of class B8 floorspace plus associated works of demolition and conversion.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Ace Airport Parking Ltd against Tandridge District Council. This application is the subject of a separate Decision.

Preliminary matters

3. One of the reasons for refusal on the Council's Decision Notice relates to highway safety. However, on the basis of a recent appeal decision¹ for a similar scheme on the appeal site where the Inspector found no harm in this regard, the Council has confirmed it wishes to withdraw this reason for refusal. I have considered the appeal on this basis.
4. Some of the buildings within the appeal site are currently being used for the storage and parking of vehicles. I have considered the appeal on this basis.

Main issues

5. The main issues are: whether the proposal would promote sustainable patterns of transport; and the effect of the proposal on the living conditions of the occupiers of neighbouring properties and the rural character of the area, with particular regard to noise and disturbance.

¹ Ref APP/M3645/W/16/3150030 dated 29 November 2016

Reasons

Sustainable patterns of transport

6. The appeal site lies to the east of the M23 motorway and to the north of Church Lane, a private road and public bridleway which provides access to it. It lies approximately 2 miles from Gatwick Airport. There is a mix of commercial and residential uses in the local area. The appeal site contains a number of buildings (A-G) and areas of hardstanding associated with its former use as a mushroom production plant. It falls within the Green Belt.
7. The proposal seeks consent to change the use of buildings A, B, C, D, F and G to store/park up to 1500 vehicles. This would be in association with a 'meet and greet' airport vehicle parking facility, where customer vehicles would be collected from and delivered to them at Gatwick Airport. It is also proposed to relocate vehicle storage associated with an existing vehicle repair, MOT and servicing business, known as 'In Autos', within building E.
8. Policy CSP16: Aviation Development, of the Tandridge Core Strategy 2008 (Core Strategy) sets out that the Council will seek to minimise the impact of Gatwick Airport by working with BAA Gatwick, Crawley Borough Council and adjoining local authorities on the development of the airport. Furthermore, that new off-airport parking will be considered in light of Green Belt policy and the need to minimise the use of the private car to travel to the airport. In addition, Policy CSP1: Location of Development, of the Core Strategy, seeks to promote sustainable patterns of transport.
9. I have had regard to the relevant planning history of the appeal site, including in respect of the above mentioned appeal and an extant permission² for a change of use of the buildings to provide 13,460 square metres of B8 floorspace and associated demolition works.
10. The proposal would generate a similar number of vehicle movements, which would be considerable, as would be generated by the fallback position of the extant consent. I also recognise that the fallback position would be likely to generate the use of heavy goods vehicles, which would not be the case under the current proposal. However, these matters were considered in detail by the Inspector as part of the previous appeal, which was by way of a Hearing. He concluded that notwithstanding the fallback position of the extant consent, the proposal would not promote sustainable patterns of transport and would thereby be contrary to Policies CSP16 and CSP1 of the Core Strategy. In addition, whilst not forming part of the development plan for the District, the Inspector found that the proposal would conflict with the aims of the Gatwick Airport Car Parking Strategy 2013 (GACPS) which seeks to promote sustainable patterns of transport to and from the airport and to use car parks within the confines of the airport itself. Moreover, that there was no compelling need to release the appeal site for car parking as all car parking demand for the airport to 2023/24 could be met within the confines of it.
11. On the basis of the evidence before me, there does not appear to have been any substantive changes since the date of the previous appeal decision, including in respect of planning policy, the characteristics of the appeal site or the extent of the proposal under consideration. Thus, I afford significant weight to the

² Council Ref TA/2006/1629

previous appeal decision. I also recognise the importance of consistency in appeal decisions and I have no compelling reasons before me to come to a different conclusion on this main issue than that of the previous Inspector.

12. The proposal would therefore be contrary to Policies CSP16 and CSP1 of the Core Strategy. These policies are consistent with the broad aims and objectives of the National Planning Policy Framework (the Framework) which seek to actively manage patterns of growth to make the fullest possible use of public transport. It would also conflict with the aims of the GACPS. In addition, it would conflict with the aims of the Surrey Transport Plan 2011, which seek to promote sustainable patterns of transport.

Living conditions and rural character

13. I have carefully considered the Council's concerns and those of a number of interested parties in respect of this main issue. I acknowledge that the proposal would generate a considerable level of additional vehicle movements in the area which would have an impact on noise and disturbance levels.
14. However, any noise and disturbance generated by vehicle movements would be no worse and, in all likelihood, would be less than that generated by any vehicle movements under the fallback position of the extant planning consent, given that these could include heavy goods vehicles. The extant planning consent and fallback position is a material planning consideration to which I afford considerable weight. On this basis, I am not persuaded that the proposal would result in any greater harm to the living conditions of the occupiers of neighbouring properties or the rural character of the area than that which would arise if the extant planning permission was fully implemented.
15. Thus, in this instance, I find no conflict with Policy CSP18: Character and Design, of the Core Strategy; and Policy DP7: General Policy for New Development, of the Tandridge Local Plan Part 2: Detailed Policies 2014. These policies require, amongst other things, development to respect the character, appearance and amenity of an area and to not significantly harm the amenity of the occupiers of neighbouring properties.

Other matters

16. The appellant makes reference to a number of examples of planning permissions, some of which were granted on appeal³. However, I have not been provided with any further details in respect of some of these and others relate to either temporary airport parking, sites in different administrative authorities and therefore considered under a different planning policy context, schemes for considerably lesser parking provision than that sought under this appeal or schemes not relating to airport parking at all. Thus, they are not helpfully comparable to the proposal the subject of this appeal and I afford them limited weight as a result. Therefore, they do not justify a planning permission.
17. The proposal would create additional employment opportunities and would contribute to economic development. It would also provide additional parking choice for airport customers. In addition, it would not be inappropriate development within the Green Belt. However, such matters would not be sufficient to outweigh the failure to promote sustainable patterns of transport

³ Ref APP/C0630/A/02/1091325; Ref APP/D3830/C/11/2153589; Ref APP/Q3820/C/13/2211146; Ref APP/Q3820/C/13/2207946; Ref APP/Q3820/C/12/2171971; and Ref APP/Q3820/C/12/2171972

and the conflict that would arise with relevant planning policy in this regard. My view on this is consistent with that of the previous Inspector.

Conclusion

18. Whilst I have not found harm in respect of living conditions and the rural character of the area, I have found that the proposal would fail to promote sustainable patterns of transport. Thus, it would not comply with the development plan as a whole. Any benefits would not outweigh these matters. Consequently, for the reasons set out above and having regard to all other matters, including highway safety, flood risk, ecology, pollution, emergency vehicle access and property devaluation, I conclude that the appeal should be dismissed.

Alex Hutson

INSPECTOR