
Appeal Decision

Site visit made on 16 October 2017

by Michael Boniface MSc MRTPI

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

Decision date: 24th October 2017

Appeal Ref: APP/H3510/W/17/3179573

Land adjacent to the Vehicle Dismantlers, Bridge End Road, Red Lodge, Suffolk, IP28 8LQ

- 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 Robert McGivern, Vehicle Dismantlers Ltd against the decision of Forest Heath District Council.
 - The application Ref DC/17/0378/FUL, dated 21 February 2017, was refused by notice dated 2 May 2017.
 - The development proposed is the creation of a customer visiting centre with car parking and welfare facilities, relocated offices and a new vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for the creation of a customer visiting centre with car parking and welfare facilities, relocated offices and a new vehicular access at Land adjacent to the Vehicle Dismantlers, Bridge End Road, Red Lodge, Suffolk, IP28 8LQ in accordance with the terms of the application, Ref DC/17/0378/FUL, dated 21 February 2017, subject to the conditions contained in the attached Schedule.

Main Issues

2. The main issues are the effect on the character and appearance of the area; and the effect on neighbours' living conditions.

Reasons

Character and appearance

3. The site is a small parcel of land located in countryside directly adjacent to the existing business, which appeared to be used in part for informal storage associated with the vehicle dismantling business. The remainder of the site is currently unused and overgrown presenting a poorly maintained and unkempt appearance. A close boarded fence surrounds the land though this is in a poor state of repair, particularly along the boundary with the adjacent access track, where public views are readily available into the site.
4. Red Lodge Road is a narrow country road with a semi-rural appearance though this is heavily influenced by proximity to the A11, the residential properties close to the site and the significant vehicle dismantling business, which is prominent in the street owing to a crane, machinery and stored car parts. Parking associated with the business also detracts from the rural character of

the area, utilising a large unmade highway verge on the opposite side of the road.

5. The proposed development would provide a formal parking area for staff and visitors to the site, along with office and welfare facilities contained within modest modular cabins at the back edge of the car park. The site is not currently part of the business operation although I have already noted that some storage appeared to take place. In any case, it is well related to the existing business and would appear visually associated.
6. Given my assessment of the character of the area, I do not share the Council's concern that the proposed development would be harmful. To the contrary, it would make effective use of a site that already has a visual affinity with the business, formalising the parking arrangement at and close to the site and removing unsightly parking from the highway. Whilst limited details of boundary treatments or landscaping have been submitted, the Council has suggested conditions and these would ensure that the site achieves a suitable appearance that enhances the existing appearance of the site and better reflects the semi-rural character of the area.
7. Policy DM5 of the Joint Development Management Policies Document (2015) (DMPD) supports economic growth and expansion of all types of business and enterprise that recognise the intrinsic character and beauty of the countryside and avoid harm to the character and visual amenity of the landscape, amongst other things. Subject to appropriate conditions, the development would accord with this policy. I find no conflict with Policies DM2 and DM13 of the DMPD which have similar objectives to protect character and appearance; Policy CS5 of the Core Strategy (2010) which seeks high quality design that reinforces local distinctiveness; or the design objectives of the National Planning Policy Framework.

Neighbours' living conditions

8. The existing business is located close to residential properties on either side, some fronting Bridge End Road and others at depth, namely Long View. The proposed development would bring the business closer to some properties but the proposed use, for staff and visitor car parking and small office and welfare facilities are not likely to be unduly noisy or otherwise disruptive to neighbouring residents. Whilst they would be associated with the vehicle dismantling business, they would not bring the industrial operations of the business any closer to residential properties.
9. Furthermore, the proposed development seeks to replace inadequate parking and facilities that currently exist within and around the site and so the development would simply formalise and isolate these elements of the existing business, as well as removing overspill parking from the public highway. The existing site may provide a buffer between the core operations of the business and its closest neighbours' at present and there is no reason why it would not continue to do so. For the reasons I have explained, I do not consider that the proposed development would harm neighbours' living conditions.
10. As such, I find no conflict with Policy DM2 of the DMPD, which seeks to protect neighbours' living conditions, including in respect of noise, smell, vibration or other pollution.

Other matters

11. I have had regard to the letter of objection from a neighbouring occupant but this does not alter or outweigh my conclusions in respect of the main issues.

Conditions

12. The Council has suggested a number of conditions in the event that planning permission is granted and these are not opposed by the appellant. In addition to the standard time period for commencement of the development, I have attached a requirement for accordance with the approved plans in the interests of certainty.
13. It is necessary to require details of both hard and soft landscaping within the site, along with tree protection measures, to ensure an appropriate appearance for the development and to protect the character of the area.
14. In the interests of highway safety, I have found it necessary to require details of the means of preventing surface water discharge onto the highway, to prevent gates opening onto the highway and to secure suitable visibility splays.

Conclusion

15. The proposed development would have clear benefits for the existing business and economic growth should be supported wherever possible. The development would not harm the character and appearance of the area or neighbours' living conditions.
16. In light of the above, and having considered all other matters, the appeal is allowed.

Michael Boniface

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Proposed Layout Plan; CAL6984 – 24' x 10' Genuine Portakabin Layout: Open Plan Office and photographs; and 20' x 8' (6m x 2.4m) 3 + 1/Disabled Mains Connection Toilet Unit layout plans and images.
- 3) The use of the approved car park and access shall not occur until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping for the site drawn to a scale of not

less than 1:200, which shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation. The approved scheme shall be implemented and completed before the end of the next available planting season, and retained in its approved form thereafter.

- 4) Notwithstanding the detail shown on the approved drawings, the use of the approved car park and access shall not occur until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard landscaping for the site. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; and structures (for example refuse and/or other storage units, signs, lighting and similar features). The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).
- 5) Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
- 6) Gates shall be set back a minimum distance of 4.0 metres from the edge of the carriageway and shall open only into the site and not over any area of the highway.
- 7) Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4m metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43m metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.