



Appeal Decision

Site visit made on 2 July 2019

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2019

Appeal Ref: APP/Y2620/W/19/3224957

Gipsies Lane Works, Weybourne, Road, Bodham, Holt NR25 6QJ

- 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 North Norfolk Garden Machinery Ltd against the decision of North Norfolk District Council.
 - The application Ref: PF/18/1124, dated 13 June 2018, was refused by notice dated 19 September 2018.
 - The development proposed is erection of a detached building, comprising two light industrial units.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site is a suitable location for the proposed development, having regard to local and national policies.

Reasons

3. The appeal site is located to the rear of an existing commercial site approximately 500 metres to the north of the A148 Cromer Road. The site is currently occupied by a car showroom, garden machinery business and two existing light industrial units.
4. Access to the showroom and garden machinery business enters the southern end of the site via Gipsies Lane. There is a separate access to the north, which services two existing industrial units as well as the appeal site.
5. The Council assert that the access serving the appeal site is unauthorised. I do not have any further detail in this regard and therefore I have determined the appeal based upon the information I have, as well as observations made on the site visit.
6. I have not been provided with the Council's policy which identifies the appeal location as being within the open countryside. However, the overall site is some 350 metres west of the village of Bodham, in a location that is physically separated from other built form, as well as public services and facilities. The appellant and the Council make reference to the site being in the countryside in a policy context. Therefore, I am satisfied that this is common ground between all main parties and have determined the appeal on that basis.

7. Policy SS2 of the North Norfolk Core Strategy (NNCS) 2008 sets out the forms of development considered to be appropriate in countryside locations. This policy is consistent with the aims of the National Planning Policy Framework (The Framework). Policy SS2 makes provision for the extension of existing businesses and new build employment generating proposals where there is particular environmental or operational justification.
8. The proposal is for the development of two further light industrial units to the rear of the existing site. The units would be of similar scale, design and materials to the existing buildings. In the context of what is already on the site, I acknowledge that the proposal would have little impact on the appearance of the countryside because it would form part of an established commercial site. Furthermore, the appeal site is well screened from public view by the existing built form and an established tree belt to the east.
9. Notwithstanding the above, Policy SS2 requires specific justification for new proposals within a countryside location. I have not been provided with any information to suggest that they are required as part of the expansion of the existing businesses, nor any environmental or operational justification for new build premises therefore, I must find conflict with the provisions of Policy SS2.
10. Policy CT5 of the NNCS aims to control the transport impact of new development requiring proposals to, amongst other things, provide safe and convenient access for all, including those with disabilities. The Council's main concern with regards to this proposal is likelihood of reliance upon the motor car due to the location of the site.
11. During my site visit, I noted the nearest bus stop to the appeal site is approximately 650 metres south east of the site, within the village of Bodham. Whilst this distance is not excessive, there is no footpath or streetlighting along either Gipsies Lane or Cromer Road, and therefore it is unlikely that employees or customers visiting the site would use sustainable modes of transport. Consequently, it is highly likely that any further intensification of use on this site would increase vehicle movements to and from the site.
12. I note the objections made by the Highways Officer and share the concern of the LPA in this regard. I do not consider that the site, acknowledging its current uses and location, could sustain any intensification of use without further reliance on the private motor car. Accordingly, there is conflict with Policy CT5 of the NNCS.
13. The appellant references a number of historic proposals and comments made regarding the suitability of the site. I do not have the full details of the proposals referred to nor the policy context at that time, and so I cannot determine that they are analogous to the current proposal. Nevertheless, I must determine the current proposal in line with the current policy context and therefore I can afford no weight to these previous cases.
14. I note the appellant's comments regarding the potential employment opportunities generated by the proposal and environmental benefits associated with the tidying up of the site. However, due to the modest scale of the proposals, these benefits would be small and therefore would not outweigh the conflict with policy that I have identified.

15. Consequently, I conclude that the appeal site would not be a suitable location for the proposed development, having regard to local and national policies. It would conflict with the relevant requirements of Policies SS2 and CT5 of the NNCS. I have identified no material considerations that would lead me to a decision that would be contrary to the relevant policies as described above.

Conclusion

16. For the collective reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

J. Hunter

INSPECTOR