



Appeal Decision

Site visit made on 15 October 2019

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2019

Appeal Ref: APP/X2410/W/19/3233281

Unit 13-14 Kernan Drive, Loughborough LE11 5JF

- 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 Ross Bowden against the decision of Charnwood Borough Council.
 - The application Ref P/19/0488/2, dated 27 November 2018, was refused by notice dated 17 May 2019.
 - The development proposed is erect a fence in the front car park of the premises in an "L Shape". Dimensions are approx 9.5m x 7.1m x 3m high.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. Units 13 – 14 are situated within an industrial estate characterised by a series of units of similar design. Forecourts serving these units are generally of an open nature and where boundary treatments are present these are low in height. The forecourt serving the units on the appeal site is currently open and provides parking and access facilities for the business and is also occupied by a skip positioned close to the front boundary.
4. The proposed timber fence would span the full depth of the forecourt to the side boundary nearest to the neighbouring Unit 15. It would also partly extend across the front boundary. By reason of its prominent position in the street scene forward of the front elevations of units on this side of Kernan Drive, its height and the materials proposed, the fence would appear incongruous and would create a sense of enclosure which would be out of keeping with the generally open nature of forecourts in the area.
5. I note the information provided by the appellant including that the appeal site is occupied by a conference and event production company which generates large quantities of timber waste material contained in the skip positioned close to the front boundary of the site. Further, I note the suggestion that the front yard provides the only safe storage location on the premises and that the lease for the site limits what can be stored as any essential permanent storage would require screening. Nevertheless, the lease is a separate requirement to

planning permission and the commercial context of the site does not negate the need to ensure development is of a high standard of design and complements the existing character of the area.

6. The proposal to stain the timber fence red, to correspond with the red cladding on the industrial units, and the spacing between the horizontal timber boards would not reduce the overall prominence of the structure within the streetscene to any significant degree. The appellant has confirmed that they would be willing to discuss design amendments. However, I must consider the proposal before me.
7. To conclude, the proposal would have a detrimental effect on the character and appearance of the area. Consequently, the proposal would be contrary to Policy CS2 of the Charnwood Local Plan Core Strategy (2015) and Saved Policy EV/1 of the Borough of Charnwood Local Plan (2004) and which amongst other things require proposals to be of a high standard which respond positively to their context and are of a design, layout and materials appropriate to the locality. The proposal would be contrary to Paragraph 127 of the Framework which amongst other things states that developments should add to the overall quality of the area.
8. The proposal would also conflict with the Charnwood Supplementary Planning Document, Leading in Design (2006) which amongst other things explains the importance that the Council places on good design.

Other Matters

9. The appellant suggests that locating the manufacturing division of the business on Kernan Drive has ensured the continued growth of the company. Whilst I recognise the support within the National Planning Policy Framework (the Framework) for economic growth, from the information before me, I am not persuaded that the provision of the fence is vital for the continued operation of the company. Equally, I have not been convinced that there are no alternative solutions that would have a lesser impact on the character and appearance of the area.
10. My attention has been drawn to an historic planning permission relating to the use of the units on the appeal site. Any breach of conditions relating to storage and parking spaces being kept available for the parking of vehicles is a separate matter for the Council to investigate and has therefore not been influential in terms of my assessment of the relationship of the proposal with the character and appearance of the area.

Conclusion

11. For the reasons given, the appeal is dismissed.

M Russell

INSPECTOR