



Appeal Decision

Site visit made on 16 March 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2020

Appeal Ref: APP/D3640/W/19/3238656

2a The Stables, London Road, Bagshot GU19 5BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Scott Henley (Bog Busters) against the decision of Surrey Heath Borough Council.
 - The application Ref 18/1088, dated 13 December 2018, was refused by notice dated 15 April 2019.
 - The development proposed is change of use of land to B8 storage with ancillary B1 Offices (Revision of 17/0861), including relocation of existing access, additional hard-surfacing, replacement gates and fencing.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of land to B8 storage with ancillary B1 Offices (Revision of 17/0861), including relocation of existing access, additional hard-surfacing, replacement gates and fencing at 2a The Stables, London Road, Bagshot GU19 5BJ, in accordance with the terms of the application, Ref 18/1088, dated 13 December 2018, and the plans submitted with it, subject to the attached schedule of conditions.

Main Issue

2. The main issue is the effect of the development on the character of the area, having particular regard to the site's location in the countryside beyond the Green Belt.

Reasons

3. The appeal site forms an island surrounded by busy thoroughfares, being bordered to the west by the A30 London Road and to the east by the A322. The site, which benefits from a vehicular access onto the A30, comprises a single storey building and is to a large extent screened from the surrounding roads by mature landscaping.
4. There is a lengthy planning history associated with the appeal site. This includes a planning application¹ for change of use of the land to agricultural use and for the keeping of horses for recreational purposes, and erection of stable/storage unit with one loose box, which was approved by the Council in 2010, subject to a number of conditions. As noted by the appellant, this consent has been partially implemented. This is consistent with my own observations. Since the determination of the planning application subject to

¹ Local Planning Authority Reference SU/10/0675, approved 19 November 2010.

this appeal, the Council has granted planning permission on the site for change of use to B1(a) offices, the provision of fencing and gates, parking and access².

5. Policy CP1 of the Surrey Heath Core Strategy and Development Management Policies 2011-2028³ (CS) outlines the spatial strategy for the area administered by the Council, which largely focuses on the redevelopment of previously developed land in the western part of the Borough. In accordance with the spatial strategy, employment growth should be primarily concentrated in Camberley and Frimley. The wording of the policy implies that there may be circumstances where employment development may be considered acceptable elsewhere in the borough, having notably regard to other development plan policies.
6. The appeal site is located within proximity to the settlement boundary for Bagshot and therefore lies, for planning policy purposes, in the Open Countryside beyond the Green Belt where Policy CP1 advises that development resulting in the coalescence of settlements will not be permitted. Within the countryside, CS Policy DM1 permits diversification proposals and the re-use, adaptation or conversion of buildings for economic purposes, subject to a number of criteria. Policy DM1 requires existing buildings to be appropriate in a rural location, be of permanent construction, structurally sound and capable of conversion without major alterations, adaptations or reconstruction to bring it into its desired use. Additionally, the policy seeks to ensure that the scale and use of any diversification or economic purpose including cumulative impact and any associated ancillary development are not in conflict with wider countryside and Green Belt objectives.
7. By reason of its segregated location between two main arteries to the north-western edge of Bagshot, the proposed development would not result in the coalescence of settlements. The existing building, which is of solid construction, does not harm the appearance of the area, and limited internal and external alterations would be required to enable its conversion to ancillary offices and maintenance areas. The proposed mixed use would be justified for economic purposes and it is evident that the proposed use would benefit from the site's proximity to the transport network to facilitate the operational requirements of the business. Subject to considerations regarding wider countryside objectives, the development proposal would therefore accord with CS Policy DM1.
8. The proposed development includes the formation a large hardstanding area, which is required for access, parking and the open storage of multi-purpose trailers supplied to the film industry. Whilst the introduction of a commercial use on the site is considered acceptable, the Council is concerned that the spread of development resulting from the hardstanding and open storage area would have a detrimental visual impact on the character of the locality.
9. However, as noted above, the site is surrounded by major transport corridors and is to a large extent screened by existing landscaping. It is also located within proximity to a hotel complex with associated parking on the opposite side of London Road and other commercial uses situated to the south of the site. Within this particular context, I therefore do not regard the site as an essential or intrinsic component of the wider open countryside. Furthermore, the extent of the hardstanding area compared with the overall size of the plot

² Local Planning Authority Reference 2019/0559, approved 20 November 2019.

³ Adopted February 2012.

would limit the degree of intensification of the storage use and the spread of development across the site.

10. There would be further scope for additional soft landscaping which would assist further to mitigate the visual impact of the development, including the proposed means of enclosure required for security purposes, and it is therefore considered appropriate to impose a suitably worded condition to that effect. Despite the size of the proposed trailers which would be stored on the site, it is therefore considered that the visual impact of the proposed development, within the particular setting which I have described above, would be acceptable.
11. For the foregoing reasons, I conclude that the proposal would accord with the Council's spatial strategy and would not have a harmful impact on the character of the area. Consequently, I find no conflict with CS Policies CP1 and DM1. The proposal would also comply with the design principles of CS Policy DM9 and the National Planning Policy Framework (the Framework).

Conditions

12. I have considered the suggested conditions, making minor amendments where necessary, to ensure compliance with the tests as set within the Framework and the Planning Practice Guidance. These include a pre-commencement condition, to which the appellant has confirmed his agreement. In addition to the standard time limit, I have imposed a condition specifying the relevant drawings which have to be complied with. These conditions are required to provide certainty and clarity.
13. Additionally, I shall impose a condition requesting the submission of a Construction Method Statement, which is considered necessary to minimise the impact on the surrounding network during the construction of the development and in the interests of highway safety, in accordance with the recommendations of the Local Highway Authority. For the same reason, I have also attached conditions requiring the implementation of the proposed vehicular access, highway improvement works, formation of parking and turning areas prior to commencement of the use hereby permitted.
14. Furthermore, I shall impose conditions restricting the use hereby permitted and requesting further landscaping and enclosure details, in the interests of the visual amenities of the area. A condition requiring further details of external lighting is considered necessary in the interests of nature conservation.

Conclusion

15. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

S Edwards

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: 2017-3996-004(E), 2017-3996-005(E), 2017-3996-006(D), 2017-3996-007(B), 2018-3996-008, PP17025-P001-B, PP17025-P101-A, PP17025-P102-A, PP17025-P103-A, PP17025-P301-A, PP17025-P302-A, PP17025-P303-A, PP17025-P304-A.
- 3) The premises shall be used for open storage (Class B8) and associated office use (Class B1a) and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). The open storage use shall only occur within the hardstanding area shown on drawing No.2018-3996-008.
- 4) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site personnel, operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials;
 - iv) the erection and maintenance of security hoarding;
 - v) method for keeping the highway clean during the construction period;
 - vi) confirmation that there will be no on-site burning of material during the demolition, site clearance and construction works;
 - vii) construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 5) Within 3 months of the date of commencement of the development, full details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the external lighting shall be installed in accordance with the approved details. The details shall include full details of the lighting supports, posts or columns, a scaled plan showing the location of the lights and full technical specification.
- 6) Within 3 months of the date of commencement of the development, full details of soft landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development, as well as planting plans, a schedule of plants and an implementation timetable.

The approved landscaping scheme shall be implemented in full prior to the use hereby permitted commencing or as otherwise specified in the

agreed timetable. Any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

The approved landscaping scheme shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

- 7) As shown on drawing No.2019-09 Rev.A, the fencing and gates hereby permitted shall not exceed 2 metres in height. Details of the finished colour for the fencing and gates shall be submitted to and approved in writing by the Local Planning Authority. The fencing and gates shall be installed in accordance with the approved details and as shown on drawing No.2018-3996-100 Rev.A prior to the use hereby permitted commencing and shall thereafter be retained, unless otherwise agreed in writing by the Local Planning Authority.
- 8) The use hereby approved shall not commence until the parking spaces and areas required for vehicles to turn so that they may enter and leave the site in forward gear have been laid out within the site. These areas shall thereafter be used, kept available at all times and retained for those purposes thereafter.
- 9) The development hereby approved shall not be brought into use unless and until the proposed vehicular access to A30 London Road and associated off-site highway works to include a central island on the A30 to prevent right hand turn movements into and out of the site have been constructed in general accordance with drawing No.2017-3996-004 Rev.E and provided with visibility zones and thereafter the visibility zones kept permanently clear of any obstruction over 1.05 metres high. The gradient of the proposed access from A30 London Road shall be no more than 1:10 for the first 10 metres into the site.

END OF SCHEDULE