
Appeal Decision

Site visit made on 21 July 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 October 2020

Appeal Ref: APP/Y2430/W/20/3247508

Land at Brooks and Sims Ltd, Waltham Road, Thorpe Arnold, Melton LE14 4RU

- 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 Peter Lomatschinsky against the decision of Melton Borough Council.
 - The application Ref 19/00676/FUL, dated 15 June 2019, was refused by notice dated 7 November 2019.
 - The development proposed is erection of new industrial workshop units (Use Class Order B1(c)/B2/B8 with dimensions of 35m x 11.5m x 9.3m and a floorspace of 673 sq.m to the rear of the existing industrial/commercial buildings on the site, the provision of an upgraded gated vehicular access to the whole site, new vehicular turning and parking arrangements and the construction of a new boundary fence with tree/shrub planting behind the fence of the eastern boundary.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application form.

Main Issues

3. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

4. The appeal site is located on the edge of Melton Mowbray but beyond its development limits. It lies within an Area of Separation between Melton Mowbray and the village of Thorpe Arnold. Policy S1 of the Waltham and Thorpe Arnold Neighbourhood Plan (2018) (NP) sets out that proposals outside of the Limits to Development will be treated as being in open countryside.
5. The site contains two industrial units with an informal area of hardstanding along the road frontage. The remainder of the site is largely grassed and free

- of development. Whilst located between the site and Melton Mowbray is a retail use formed of two units with an extensive hard surfaced car park, the open nature of the appeal site contributes to the rural character of the open countryside.
6. Whilst sited behind the existing units the proposed development would result in a significant increase in built form on site. It would be noticeably taller and bulkier than the existing units and would spread development into an open part of the site.
 7. Whilst the site benefits from some screening on the boundaries, the proposed development would be apparent in glimpsed views from the surrounding area and Waltham Road. The proposed fence and planting would not improve views, adequately screen or soften the proposed development but rather this firm edge would draw the eye and highlight the substantial built form on site.
 8. For these reasons the proposed unit would result in the site being more intensively developed and urbanised, which would result in the erosion of the countryside and the area of separation between Melton Mowbray and Thorpe Arnold.
 9. I acknowledge that the proposed development would not impact on trees, hedges, watercourses and important views. I also acknowledge that its appearance would be typical for industrial units and the position of it would minimise activities facing Thorpe Arnold. However, I find that these factors either individually or cumulatively would not overcome the harm that I have identified.
 10. The appellant contends that the Council are required to safeguard the economic and social wellbeing of their businesses and population. However, based on the evidence before me the proposal would not assist the existing business on site to expand. There is no substantive evidence to demonstrate a particular local need for flexible or starter units in this location to support both rural and urban employment or assist those who wish to be self-employed. There is also no substantive evidence that the construction of the development would complement the area's economic strategy.
 11. Furthermore, the proposed development would not fall within the types of rural employment supported by Policy EC2 of the Melton Local Plan (2018) (LP) including the re-use of existing farm buildings, farm diversification, small scale tourism or agriculture, forestry or equestrian activity.
 12. I acknowledge that the National Planning Policy Framework (the Framework) promotes the efficient use of land and recognises that in order to support the rural economy sites to meet local business needs may have to be located beyond existing settlements. However, it also recognises that developments should be sensitive to its surroundings.
 13. I conclude that the proposed development would harm the character and appearance of the area. Consequently, it would be contrary to Policies EN1, D1 and EN4 of the LP which, amongst other things, seeks to ensure new development is sensitive to landscape setting and local distinctiveness; requires high quality design, siting and layout that is sympathetic to the character of the area and reflect the wider context of the local area; and development that maintains the principle of separation between settlements

and safeguards their individual character. It would also be contrary to Policy ENV5 of the NP which amongst other things, seeks to maintain and, wherever, possible enhance the separation of Thorpe Arnold and Melton Mowbray.

14. I acknowledge that the Parish Council did not raise an objection. However, this counts neither for nor against the proposal and does not overcome the harm that I have identified in respect of character and appearance.
15. I must make my decision on the development plan policies at the time of my decision therefore the policies of the former Rural Development Commission are not relevant to the appeal scheme before me.
16. I acknowledge that the proposal is accessible by alternative transport including by foot and bicycle meaning there would not be an over reliance on private vehicles. I also acknowledge that the access would be improved to serve the development. However, this would not overcome the harm that I have identified.
17. I am required to determine an appeal against the refusal of planning permission, accordingly the extent of the lawful use of the site is not a matter for me as part of this appeal.

Conclusion

18. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR