



Appeal Decision

Site visit made on 30 September 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2020

Appeal Ref: APP/M3645/W/20/3253578

Broadcast Engineering Centre, Eastbourne Road, Blindley Heath, RH7 6JP

- 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 Effi Wolff of Balconette against the decision of Tandridge District Council.
 - The application Ref TA/2020/436, dated 3 March 2020, was refused by notice dated 11 May 2020.
 - The development proposed is installation of external storage racks contained within rear yard of site.
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Decision

1. The appeal is allowed and planning permission is granted for installation of external storage racks contained within rear yard of site at Broadcast Engineering Centre, Eastbourne Road, Blindley Heath, RH7 6JP, in accordance with application Ref TA/2020/436, dated 3 March 2020, but subject to the attached schedule of conditions which stipulate a 2 year temporary permission.

Procedural Matter

2. The storage racks have already largely been built. The proposal is partially retrospective, and I have dealt with the appeal on this basis.

Main Issues

3. The effect of the development on the character and appearance of the area and the living conditions of neighbouring residential occupants particularly regarding outlook; and the weight that should be given to the economic need for the development.

Reasons

Character and Appearance

4. The site comprises a large commercial building surrounded by an open yard. It falls within the village of Blindley Heath which exhibits a mixed character with residential properties of various ages and designs interspersed with commercial buildings. Within this context the storage racks, which rise to a height of up to 5 metres and sprawl across the yard, are an unsightly feature. They compete for visual attention with the main building on the site, detracting from its stature.
5. Consequently, the proposal means that the site would have an unusually cluttered appearance, in comparison to its surroundings. The

vegetation on three sides would not entirely screen the development, which would be particularly visible from the shared access roads around the site, as well as in private views from neighbouring properties.

6. The proposal would therefore result in harm to the character and appearance of the area. It conflicts with policy CSP18 of the Tandridge District Core Strategy 2008 (Core Strategy) and DP7 and DP12 of the Tandridge Local Plan Part 2 2014 (Local Plan) which, amongst other things, require high quality design that respects the character of the village within which it is located. I attach moderate weight to this harm, which cannot be overcome through planning conditions, for instance by seeking to control how the racks are used or through the retention or creation of landscaping.

Living Conditions

7. I have acknowledged above that the racks are visible from neighbouring properties. However, the height of the racks is not excessive at around 5 metres. They would be located away from the site boundaries, largely with mature vegetation in the intervening space. The degree of separation is sufficient to avoid any overbearing effect or significant loss of outlook to the occupants of any residential property. This includes Nos 1 and 2 Blue Anchor Farm Cottages, and the nearby property known as Blue Anchor Farm House.
8. Consequently, there is no significant harm to the living conditions of neighbouring residential occupants. There is no conflict with policy CSP18 of the Core Strategy nor policy DP7 of the Local Plan which seek to avoid significant harm to the amenity of occupiers of neighbouring properties.

Economic need

9. The appellant draws attention to planning policies, including CSP 22 of the Core Strategy, which support the development of a sustainable economy. The business is connected to the construction industry and employs a number of people in the local area, some of whom have written in support of the proposal. The racks were installed to store materials in preparation for the possible disruption of supply chains and port and delivery delays due to the UK exiting the European Union. The National Planning Policy Framework ("the Framework") states that planning policies and decisions should help create the conditions in which businesses can adapt. There is still uncertainty over the impact on supply chains and international trading arrangements arising from the forthcoming end of the transition period following the EU exit, so the need to store materials on the site is still justified by these short-term exceptional circumstances. There is therefore a pressing short-term economic need for this development, and this attracts significant weight.

Other Issues

10. The Council also refer to the works comprising an unacceptable intensification of the site. However the racking has principally been introduced to provide storage. This does not result in significant levels of additional commercial activity on the site. Neither this nor the other issues raised by interested parties add to the harm identified in the first main issue.

Planning Balance

11. The proposal would result in harm to the character and appearance of the area, to which I attach a moderate degree of weight, and it therefore conflicts with the development plan when considered as a whole. However, this is outweighed by a specific short-term economic need for the racks, to which I attach significant weight. In these circumstances it would be appropriate to grant a temporary planning permission for 2 years, which is an appropriate period given the current economic circumstances. At the end of this period the racks would be taken down. Whilst the character and appearance of the area would be harmed until this point, it is justified by the exceptional circumstances discussed.
12. Over the longer term, the racks would be likely to serve an economic purpose associated with the business. However, it has not been adequately demonstrated that there are no more visually appropriate ways of fulfilling it, either on the site or in the surrounding area. Even taking account of local and national planning policies which support economic growth, the economic benefits associated with the permanent retention of the racks would not be of a scale that outweighs the identified harm to the character and appearance of the area. A permanent planning permission is not justified.

Conditions

13. It follows from my findings above that the circumstances of this case mean that a temporary planning permission is justified. The main parties have had the opportunity of commenting on the condition and the wording used. Given the time limited nature of the approval no other conditions are justified apart from the approved plans condition in the interests of certainty. The conditions meet the 6 tests set out in paragraph 55 of the Framework.

Final Conclusion

14. The proposal would not result in harm to the living conditions of existing residents, but it would result in harm to the character and appearance of the area. It therefore conflicts with the development plan. However, on this occasion there are other material planning considerations, namely the short-term economic need for the development, that outweigh this finding and justify a temporary planning permission.

Neil Holdsworth

INSPECTOR

Schedule of Conditions

- 1) The development shall be carried out in accordance with drawings numbered D19135_A_1001 Rev P1 and D19135_A_1000 Rev P2.
- 2) The development hereby permitted shall be for a limited period being the period of 2 years from the date of this decision. Before the expiration of this temporary period, the external storage racks and other works hereby permitted shall be removed and the land restored to its former condition as it existed on or before 1 August 2019, as shown on the plan entitled existing site/block layout, D19135_A_1001 Rev P1.

End of Schedule