



Appeal Decision

Site visit made on 15 February 2022

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 March 2022

Appeal Ref: APP/D0840/W/21/3281638

Unit 2, Indian Queens Industrial Estate, Lodge Way, Indian Queens TR9 6TF

- 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 Kieron Day, Ata Couriers Ltd against the decision of Cornwall Council.
 - The application Ref PA21/01683, dated 15 February 2021, was refused by notice dated 2 August 2021.
 - The development proposed is the construction of four commercial units B8 use class.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Kieron Day, Ata Couriers Ltd against Cornwall Council. That application is the subject of a separate Decision.

Main Issue

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

Reasons

4. Indian Queens Industrial Estate is an allocated employment area situated to one side of the straight and relatively busy Moorland Road. The opposite side of the road is predominantly residential where a number of dwellings face the road, many having private accesses.
5. The Industrial Estate is served from a formal estate road between Moorland Road and the A30 dual carriageway. As such the units, effectively, turn their backs on Moorland Road. They are clearly visible, but a gap between the road and buildings that includes grassed areas and some tree planting, softens the appearance of the bulky buildings and sets them apart from the residential properties opposite.
6. On the site of the proposed units, there is no grassed area between the highway boundary and existing industrial building. However, a continuous hedgebank on the highway boundary of the industrial estate, while low, in relatively poor condition and with limited aesthetic value in itself, reinforces the separation. Thus, despite the presence of hard landscaping, street clutter such as telegraph poles and wires, on-street parking, and noise from the A30, the prevailing character, of this stretch of Moorland Road is residential.

7. The new units themselves would have a similar appearance to the existing industrial buildings and would be seen in context with them. However, the proposal includes the formation of a new access to Moorland Road. An access point, in itself, may not be uncharacteristic of Moorland Road, but at this location would result in removal of the existing hedgebank and opening up of the frontage. The new access could be formally landscaped and managed in a tidy manner, with some ecological enhancement. However, the presence of the access, along with the service yard between Moorland Road and the new buildings, would result in an uncharacteristic, strong frontage relationship of industrial activity to Moorland Road.
8. As a consequence, commercial activity would be more readily visible in the street scene. The industrial area would cease to be contained, inward looking to the estate road and would begin to creep into the residential area, leading to a harmful dilution of the residential character.
9. There is general support in the Cornwall Local Plan 2016 (LP) for employment generating uses and, as an allocated site, commercial buildings are to be expected in this location. I understand that access from the industrial estate road is narrow and restricted, such that it is not suitable for heavy goods vehicle movement throughout the day. However, while any stated LP requirement for industrial and commercial floorspace may be a minimum, and letting agents confirm strong demand for units in this location, there is no substantive evidence that there is an unmet need that would outweigh the harm that I have identified.
10. I, therefore, find that the proposal would harm the character and appearance of the area. It would conflict with those aims of LP Policies 2 and 12 that seek to protect the distinctive characteristics of the local area. It has not been demonstrated that material considerations otherwise indicate that permission should be granted.
11. Accordingly, the appeal is dismissed.

M Bale

INSPECTOR