



Appeal Decision

Site visit made on 7 February 2023

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th March 2023

Appeal Ref: APP/V1505/W/22/3303876

Land adjacent Unit 8 Falcon Park, Pipp's Hill Industrial Estate, Basildon, Essex SS14 3AL

- 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 Mark Hanna against the decision of Basildon Borough Council.
 - The application Ref 22/00483/FULL, dated 1 April 2022, was refused by notice dated 18 July 2022.
 - The development proposed is a storage unit.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is land adjacent to an industrial type building that is located on Falcon Park, which is a small industrial park located within the larger Pipp's Hill Industrial Estate, and accessed from Luckyn Lane.
4. Luckyn Lane is one of the main roads through the industrial estate and it is fronted by a mixture of predominantly industrial, warehouse and office type buildings. These are generally set back from the Lane by comparable distances and behind a wide grass highway verge, and typically behind areas of vehicle parking or outdoor storage space. This configuration contributes to a sense of openness along Luckyn Lane and a consistency to the building line fronting onto the Lane, which are defining characteristics of the area.
5. Falcon Park consists of two similar style industrial type buildings that face one another across a shared access road that runs perpendicular to Luckyn Lane. The side elevations of these buildings front onto Luckyn Lane.
6. The appeal site includes two hard surfaced vehicle parking spaces situated between the side wall of the existing industrial building containing units 5-8, and the grass highway verge along Luckyn Lane. The openness of these parking spaces contributes to the sense of openness along Luckyn Lane. The appeal site also includes an area of planting between the side wall of this building and the grass verge, which is shown on the drawings as including a Desert Mistletoe tree. This softens the visual effect of the existing building in views looking east from Luckyn Lane.

7. The proposed building would be built on these two car parking spaces and adjacent to the area of planting. Furthermore, set closer to Luckyn Lane than the side wall of this existing building, the proposed building would occupy a prominent position on the frontage of Falcon Park to Luckyn Lane. In this position, the scale and massing of the proposed building would erode the openness of the frontage of Falcon Park with Luckyn Lane, and its positive contribution to the character and appearance of the area. Furthermore, it would partially obscure the planting, diminishing the effect of the planting in softening views of the existing building (containing units 5-8) from Luckyn Lane.
8. Although the design and materials of the proposed building would be substantially similar to the existing industrial buildings on Falcon Park, the scale of the proposed building and its position set forwards of the front elevation of the existing industrial building containing units 5-8, would have a visually jarring relationship with this building. Furthermore, it would intrude into the space between the two industrial buildings on Falcon Park and disrupt the uniformity of the relationship between the two buildings.
9. I recognise that the proposed development would not require the removal of planting from the area between the side wall of the existing building and Luckyn Lane. However, the proposal would nonetheless project forward of the existing building and harmfully impact on the openness of this area.
10. For these reasons, I conclude that the siting and scale of the proposed storage unit building would have a harmful effect on the character and appearance of the area. As such, the proposed development would be contrary Policy BAS E10 of the Basildon District Local Plan Saved Policies September 2007, which requires the design and scale of industrial, business and office development to be appropriate and sympathetic to neighbouring development, including maintaining an appropriate set back distance from highways.
11. The appeal proposal would also conflict with paragraphs 130 and 134 of the National Planning Policy Framework (2021), which state that planning decisions should ensure that developments are visually attractive and sympathetic to local character, including the surrounding built environment, and that where development is not well designed it should be refused.

Other Matters

12. I acknowledge the absence of opposition to the proposed development from consultees. However, an absence of objections is not determinative in reaching my decision on the main issue.

Conclusion

13. For the reasons given above, and taking account of the development plan as a whole, I conclude that the appeal should be dismissed.

G Sylvester

INSPECTOR