



Appeal Decision

Site visit made on 23 January 2023

by N Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 February 2024

Appeal Ref: APP/M1595/W/23/3324846

10 Civic Square, Tilbury, Thurrock RM18 8AD

- 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 Suhjit Patel against the decision of Thurrock Council.
 - The application Ref 22/01570/FUL, dated 23 November 2022, was refused by notice dated 24 January 2023.
 - The development proposed is standard 20 feet shipping containers linked together on hard standing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Revised versions of the National Planning Policy Framework (the Framework) have been published since the planning application was determined by the Council. Both main parties have had the opportunity to comment on any relevant implications for the appeal. I have had regard to the latest version of the Framework in reaching my decision.
3. I have taken the description of the proposed development from the planning application form albeit I have removed wording that does not relate to the act of development. I note the description of proposed development varies on other documents.
4. The planning application form indicates that the development has already taken place and I was able to view the shipping containers at the time of my visit.

Main Issue

5. The main issue raised by this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

6. The proposal relates to four shipping containers that have been interlinked to provide one singular storage unit with refrigeration. As noted above, the shipping containers are in situ. Nonetheless, the proposal also seeks permission for the installation of a felt pitched roof and the painting of the external surfaces of the containers a dark grey. Although the appellant suggests that the containers are to be timber clad, the existing and proposed plan that supports the planning application and the information provided on the

planning application form do not suggest this to be the case. Rather, the proposed plan and form indicate the exterior of the shipping containers to be painted. I have considered the proposal as that which was before the Council and upon which the Council made its decision.

7. The shipping containers are sited close to the rear garden of a residential property. The units would be clearly visible to neighbouring residential occupiers in both Arkwright Road and Manor Road. They would also be visible to the occupiers of the residential properties above the Civic Square commercial parade.
8. Although it is proposed to paint and roof the shipping containers, they are by design, shipping containers and would retain such an appearance. Whilst located behind a row of commercial premises the site is situated immediately adjacent to a residential area. Shipping containers are not a feature associated with residential areas and are visually out of keeping for this reason. Their size, design and utilitarian form causes visual harm to the character and appearance of the locality. This harm is clearly visible in the outlook of existing neighbouring residential occupiers.
9. The occupiers of neighbouring properties should reasonably expect to enjoy an acceptable outlook as part of their residential lives. There are other structures, such as garages, sheds and outbuildings, to the rear of the commercial premises and within the area. Nonetheless, the proposal introduces structures substantially out of keep with the locality that are clearly visible over existing boundaries. The visual harm arising from the presence of the shipping containers, even if painted and hosting a pitched roof, would diminish the enjoyment of the residential living environment for neighbouring occupiers and would harm the enjoyment the existing occupiers should reasonably expect to enjoy.
10. The site is not within a Conservation Area and there are no Listed buildings close by. The proposal would support economic growth and productivity of a local business. The use of this underused site ancillary to the existing business would support this aim and potentially allow the business to expand. Furthermore, I note that there have not been any local objections raised to the proposal. Whilst these may be merits of the case, they do not overcome my above concerns or justify the proposed development.
11. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would, therefore conflict with Policies CSTP23 and PMD2 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2015 and the provisions of the Framework. These policies and the Framework seek, amongst other matters, development to be of high quality design and to consider the sensitivity of the site and its surroundings.

Other Considerations

12. My attention has been drawn to two planning permissions granted by the Council for storage containers elsewhere. Whilst I have been provided the decision notices and plans relating to those developments, I have not been provided with any Council reports that might assist my understanding as to why those developments were considered acceptable by the Council.

13. Notwithstanding this, one site relates to Thurrock Community Hospital where the circumstances of that site would be very different to that of the site before me. The other site relates to 12 Broadway, Grays. That proposal related to only one storage container that appears to have greater separation between it and neighbouring residential properties. Whilst the proposals may relate to a similar type of development as proposed here, the acceptability of those other developments will depend on the individual circumstances of those sites. Therefore, they can and should be considered on their own individual merits.
14. I have also been provided photographs of shipping containers advised to be located at The Old Anchor Pub and to the rear of 7 and 8 Civic Square. However, I have not been advised whether or not either of these examples benefit from planning permission.

Conclusion

15. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR