



Appeal Decision

Site visit made on 25 June 2024

by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 4th July 2024

Appeal Ref: APP/V1260/W/23/3333370

ETS Trucks Ltd, 6 Witney Road, Nuffield Industrial Estate, Poole, BH17 0GH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by ETS Trucks Limited against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is: APP/23/00865/F.
 - The development proposed is a side extension to provide new first floor office and storage space over open car park under.
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Decision

1. The appeal is allowed and planning permission is granted for a side extension to provide new first floor office and storage space over open car park under at ETS Trucks Ltd, Poole, BH17 0GH in accordance with the terms of the application, Ref: APP/23/00865/F, subject to the conditions in the attached schedule.

Main Issue

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

Reasons

3. The appeal site is an industrial unit located within the Nuffield Industrial Estate. Nearby industrial and commercial buildings within the estate are of varied designs and scales, and which are set back from the highway behind vegetation, fencing and areas of hardstanding used for car parking. The landscaping and vegetation within the estate assists in softening the overtly industrial and commercial appearance of buildings within that estate.
4. Policy PP27 of the Poole Local Plan (November 2018) (the Local Plan) concerns design and sets out that development will be permitted provided that it reflects or enhances local patterns of development and neighbouring buildings in terms of height and scale, layout and siting including building line and built site coverage. Policy PP27 of the Local Plan further provides that extensions and alterations should be designed to respect and relate to the existing building, and should maintain or enhance any details that contribute positively to local character.
5. The proposed extension to the existing building would use matching materials and would complement the design of the existing industrial building at the site. The proposed development would extend the existing building towards the

adjacent fencing and vegetation that separates the site from the pedestrian footway that passes alongside the appeal building, increasing the prominence of the appeal building in the street scene. Nonetheless, buildings within the estate and close to the appeal site exhibit varying degrees of set back from the adjacent highway and associated pedestrian footway.

6. I observed on my visit that the proposed extension would be constructed over an existing area of hardstanding used for car parking at the site. I acknowledge the Council's reference to a previous planning permission at the site from 2015, and which included the area currently allocated for parking underneath the proposed extension as being shown as an area of 'grass' on the approved plans. However, it has been put to me that, there being no restriction within the relevant planning permission, the relevant grassed area was replaced by hardstanding under permitted development rights. As such, it does not appear that the proposal would result in the loss of any grassed area at the site.
7. The appeal scheme does not propose to remove any of the existing vegetation that separates the site from the adjacent pedestrian footway, with the scheme resulting in an extension that would overhang existing hardstanding used for car parking at the site. In my view, the proposal would reflect neighbouring buildings, and the host building, in terms of height, scale and siting, maintaining the varied degree of set back from the adjacent highway that nearby buildings exhibit within this area. Whilst the scheme would increase the prominence of the appeal building in the street scene, views of this part of the site are currently dominated by the presence of a substantially scaled advertising sign positioned within the area of existing vegetation that separates the site from the adjacent pedestrian footway.
8. In light of the above, I do not find that the appeal proposal would dominate views from within the surrounding area and, in my view, would not have an adverse effect on the established character and appearance of the area. The appeal scheme would result in a building and site that reflects neighbouring development in terms of siting, height, scale, materials, landscaping and visual impact. The spacious landscaped character of this part of the industrial estate would be retained. The design of the proposed extension would respect and relate to the existing host building and would maintain the site's and appeal building's details that contribute positively to local character. Consequently, the proposed development would not conflict with the provisions, aims or objectives of Policy PP27 of the Local Plan.

Conditions

9. I have considered the conditions put forward by the Council against the requirements of the Planning Practice Guidance and the National Planning Policy Framework. Where necessary, and in the interests of clarity and precision, I have altered the wording of the conditions suggested by the Council in order to better reflect the relevant guidance.
10. In addition to the standard three year period implementation condition, which is a statutory requirement, it is necessary, in the interest of certainty and precision, to define the plans with which the appeal scheme should accord. Conditions requiring the incorporation of measures to ensure a proportion of future energy use from renewable sources, and details of biodiversity enhancement be approved by the Local Planning Authority, are also necessary to comply with Policies PP33 and PP37 of the Local Plan.

Conclusion

11. For the reasons given above the appeal should be allowed.

Mr A Spencer-Peet

INSPECTOR

Schedule of Conditions

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall in all respects accord strictly with drawing numbers: 300-243/04 Proposed Site & Location Plan, 300-243/05 Proposed Floor Plans and 300-243/06 Proposed Elevations, received by the Local Planning Authority on 27 July 2023.
3. Prior to first occupation of the development hereby permitted, details of the measures to provide on-site renewable energy sources to meet a minimum of 10% of the predicted energy use of the non-residential development, shall be submitted to and approved in writing by the Local Planning Authority. These measures must then be implemented before any non-residential occupation is brought into use and maintained thereafter. Documents required by the Local Authority include:
 - The 'as built' SBEM/BRUKL assessment documents. These should be the same documents issued to Building Control to address the Building Regulations Part L,
 - The corresponding EPC (Energy Performance Certificate), and
 - A statement, summary or covering letter outlining how the data given in the above documents demonstrates that a minimum of 10% of energy use is provided by the renewable technology.
4. Details of bio-diversity enhancement to be delivered on site shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to first occupation of the development hereby approved.