



Appeal Decision

Site visit made on 30 August 2005

by **Diane Lewis** BA(Hons) MCD MA LLM MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
e-mail: [REDACTED]
inspectorate.gsi.gov.uk

Date

14 SEP 2005

Appeal Ref: APP/V2635/A/05/1180923

Land adjacent to Beach Road, Snettisham

- 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 Ridgeon Properties Ltd against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 04/02044/F, dated 27 September 2004, was refused by notice dated 30 November 2004.
- The development proposed is construction of warehouse building with ancillary offices and open storage for use as builders' merchant, construction of highway entrance and diversion of footpath.

Summary of Decision: The appeal is dismissed.

Background

1. Ridgeons is a major regional builders' merchant operating from a number of premises throughout East Anglia. The firm's existing site within Snettisham was purchased in 1998, since when business turnover has increased considerably. The firm is now seeking to relocate to a larger site outside the village, to the west of the by-pass.

Main Issue

2. I consider the main issue is whether the development would be appropriately located in the countryside, having particular regard to the reasons for the development, the effect on the character and appearance of the surrounding area and the effect on the environment in and around the existing site in the village.

Planning Policy

3. The development plan for the area includes the Norfolk Structure Plan 1999 and the King's Lynn and West Norfolk Local Plan 1998. The appeal site is in the countryside, as defined on the Local Plan Proposals Map.
4. Relevant national policy includes Planning Policy Statement: *Delivering Sustainable Development* (PPS1), PPS7: *Sustainable Development in Rural Areas* and Planning Policy Guidance: *Industrial and Commercial Development and Small Firms* (PPG4).

Reasons

Location

5. The strategy of the Structure Plan seeks to focus development in the main settlements, to promote villages as self contained communities and to attach high priority to protecting the

environmental assets of the County. Consistent with this strategy the Local Plan identifies King's Lynn as the location for most major development. Limited expansion is to be permitted at Downham Market and restrained growth at Hunstanton. There is a large amount of allocated land available for employment development in King's Lynn and Downham Market, while in Hunstanton there is a 0.6 hectare site. Outside these urban areas the priority is to foster the rural economy and to protect the environmental characteristics of the coast and the countryside. For economic development to be acceptable in the countryside criteria set out in Structure Plan Policy EC.6 and Local Plan Policy 8/7 must be met. Requirements include the need for a countryside location, as opposed to utilising an established or allocated site and no significant environmental objections.

6. A builders' merchant is not a form of development that is based on an agricultural, forestry or mineral resource. It is a type of use that could be accommodated in employment areas. Hence it is not a land use where a countryside location is essential. However, the operation has certain distinguishing features. Trade often involves bulky materials and the evidence indicates that the customer base is localised to a radius of about 10 miles. Given the nature of the products and the building trade, customers tend to be reliant on the use of cars and vans, rather than public transport, foot or cycle. In this case Ridgeon's has also emphasised the important contribution made by the firm to providing local employment, with most of its 19 staff living in Snettisham and the near vicinity.
7. In view of these factors I can see that certain allocated sites may not be appropriate. In particular Downham Market would not be well located to the customer base and hence it would not promote sustainable travel patterns. On the information available to me the position with King's Lynn is less clear cut and it would appear that a site within this area would satisfy at least a proportion of the market demands, particularly if the business continues to expand. Similarly with Hunstanton, although I note the amount of identified land is small.
8. I also have concern that the Appellant has not demonstrated flexibility in the site search. The evidence is that Snettisham is the only location that has been considered. Furthermore, in terms of scale, the proposed site area of 1 hectare (net) is relatively large and would more than double the size of the existing site. It is unlikely to be compatible with the scale and character of villages in the area and hence contrary to the thrust of prevailing policy. I refer in particular to Policy EC.5 of the Structure Plan and guidance in PPS7, which envisages some limited small scale development outside designated service centres to meet local business and community needs. Also, in promoting employment in the Rural Development Area the Local Plan requires development to be in scale with its surroundings. The size of the component elements of the scheme, such as the extent of open storage/display space, amount of parking, also raises questions in my mind as to whether the proposal is primarily directed at a local customer base.
9. Thus referring to criterion (i) in Policy EC.6 of the Structure Plan I consider that the Appellant has not conclusively demonstrated that there are particular reasons for the development not to be located on an established or allocated site. Turning to the Local Plan, it also has not been shown that a countryside location is essential in connection with the operation of an existing business. However, the proposal would secure and increase appropriate rural employment and hence it has some support from Policy 8/7. It also would

be located in close relation to the village boundary and provide local jobs. To this extent it would comply with Policy 8/3 but there is no evidence to show that it would be part of an agreed programme for the promotion of the economic objectives in the Rural Development Area.

Character and Appearance

10. The appeal site is an area of open land in a prominent position adjacent to the main A149 coast route between King's Lynn and Hunstanton. It is also within the setting of Snettisham, where there is special emphasis on protecting and enhancing the quality of the environment in accordance with Structure Plan Policy ENV.1.
11. The site is a large parcel of land when compared to the nearby commercial and residential properties. The development would basically consist of a warehouse building, ground storage and displays, an extensive area of open storage with racking up to 6 metres high, 66 car parking spaces, vehicle access and circulation areas. The yard areas would have floodlights for use during working hours in the dark mornings and early evenings. I consider that because of these features the proposal would be an alien form of development, out of character with its surroundings, including the adjacent Kim Cairns site and development along Common Road.
12. The Appellant submits that the development would be effectively screened as a result of the existing hedges and proposed planting, the lower land level of the site and the position of the building back from the frontage. However, the hedge is a not a strong boundary feature and would have limited screening qualities during the winter months. Furthermore, in my estimation much of the hedge would have to be removed along the Beach Road frontage to allow for the required visibility splay and footpath works. With no details to demonstrate otherwise, I anticipate the new planting would need quite some time to become established and then to mature in order to have a significant impact on screening or softening a development of the scale and type proposed. This position would not be improved by the Appellant's wish to implement the landscaping in the year after completion, rather than in advance of development. Furthermore, there is no indication how the proposed screening would be compatible with the reasonable need to signal the presence of the business, especially important in view of its location on a busy route. Even when mature, screening qualities would be significantly less when vegetation is not in full leaf.
13. The lower level of the land and position of the building would help to reduce the dominance of the warehouse when travelling past the site along the by-pass. However, these factors would have little relevance in reducing the visual impact of the building and outside storage when seen from Beach Road. My conclusion is that the development would be a serious visual intrusion for several years and that even when established landscape mitigation would not overcome the strong environmental objections.
14. The policy in PPS1 on achieving good quality design applies to all types of development. The one aspect the Council has highlighted is the poor design of the warehouse. I recognise that buildings need to be functional for their intended purpose. Nevertheless, there is nothing to indicate that the appearance, proportions and materials of the building would respond to its semi-rural surroundings or reflect local distinctiveness, a contemporary or innovative approach. In addition, there is no information to show how the development would be sustainable through making efficient and prudent use of resources.

15. In conclusion, there are significant environmental objections to the proposal as a result of the serious harm that would be caused to the character and appearance of the countryside and the setting of Snettisham. For this reason alone the proposal would fail to comply with Policy EC.6 of the Structure Plan and Policy 8/7 of the Local Plan. The adverse effect on the setting of the village would be contrary to the strategy identified in Policy ENV.1 of the Structure Plan.

Effect on village environment

16. The Appellant's existing branch at School Road is hemmed in by housing. Access is of a poor standard via narrow roads and space for parking and manoeuvring vehicles is tight. The traffic generated by the use is not compatible with the built fabric of the conservation area or the nearby domestic and community uses. The Appellant has offered a planning obligation whereby the firm undertakes to cease trading and vacate the School Road site once trading has commenced from the proposed Beach Road site. The obligation also aims to preclude another builders' merchant from subsequently occupying the School Road site and to promote its redevelopment for housing.
17. In view of the continued expansion of the business since the acquisition of the site in 1998 there would be considerable environmental benefit from the firm relocating elsewhere. I attach less weight to the obligations on the future use of the site because without a planning permission in place there would be no certainty that would be an acceptable outcome.

Other matters

18. A public footpath crosses the site. The proposal provides for a new footpath along the southern and eastern site boundaries. Details of the footpath scheme could be secured through a planning condition. However, at this stage the proposal does not adequately address the links either to the length of path that would remain or the footways into the village.

Conclusions

19. The proposal would enable the firm to relocate from its existing premises. This relocation would bring considerable environmental benefits to the village and it would secure continued local employment and economic benefit. However, as PPG4 advises, development necessary to sustain the rural economy has to be weighed with the need to protect the countryside. The proposal does not comply with Policy EC.6 of the Structure Plan and Policy 8/7 of the Local Plan because of the serious harm to the countryside setting of Snettisham. The design and layout would be inappropriate in its context and in accordance with PPS1 should not be accepted.
20. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

21. I dismiss the appeal.


INSPECTOR