

Appeal Decision

Site visit made on 20 February 2017

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15th March 2017

Appeal Ref: APP/W0340/W/16/3162564

Land South of Pincents Manor, Pincents Lane, Tilehurst RG31 4UQ

- 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 M Webb of Shieldpride Ltd against the decision of West Berkshire Council.
 - The application Ref 16/00448/FULC, dated 11 February 2016, was refused by notice dated 30 June 2016.
 - The development proposed is erection of a single storey B1 office building, parking and landscaping.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey B1 office building, parking and landscaping at Land South of Pincents Manor, Pincents Lane, Tilehurst RG31 4UQ in accordance with the terms of the application, Ref 16/00448/FULC, dated 11 February 2016, subject to the conditions set out in the attached schedule.

Procedural Matter

2. The site address on the refusal notice does not match that provided on the application form. There is nothing in writing to indicate that an amendment has been agreed between the parties. I have therefore used the appellant's original wording in my formal decision.

Main Issues

3. The main issues in this case are:
 - a) whether, having regard to development plan policy and other material considerations, the principle of an office scheme on the site is acceptable;
 - b) the effect of the proposal on the character and appearance of the area; and
 - c) the effect of the proposed parking arrangements on highway safety in Pincents Lane.

Reasons

Principle of development

4. The appeal site comprises a disused parcel of land on Pincents Lane, directly opposite the entrance to Pincents Manor Hotel and Conference Centre. The area is hard surfaced and its boundaries are defined by steel palisade fencing.
-

5. I am told that the site lies outside of any settlement boundary. However, it has no visual connection with surrounding countryside. Indeed, it appears more closely associated with the adjoining Turnhams Green Business Park which is part of a much larger agglomeration of employment and retail uses near Junction 12 of the M4 motorway. This general area is part of the Eastern Area broad location for development under Area Delivery Plan Policies 1 and 4 of the West Berkshire Core Strategy (2006-2026) (WBCS).
6. I have not been directed to any policies which expressly preclude development of this particular site. Given the previously developed status of the land, its location directly alongside established employment uses and the lack of any visual intrusion into open countryside, I consider that the general principle of office development is acceptable – subject to the scheme being satisfactory in all other respects.

Character and appearance

7. The proposal would take the form of a single storey flat roof building with a square footprint. A predominance of glass in the walls would give the building a lightweight appearance. The development would extend to within a metre or so of the boundary with Pincents Lane but its modest height and mass would ensure that it is not overbearing for passers-by. The layout includes sufficient space for a hedge along the front of the site to create a soft roadside edge.
8. I appreciate that the scheme does not take any particular design cues from surrounding development. However, I saw a variety of modern buildings in the local area and in this context I do not consider that the proposal would be out of character. Furthermore, I do not share the Council's view that the development would be cramped and incongruous. In my opinion the contemporary design would be an attractive and sympathetic addition to the street scene within this part of the lane.
9. Accordingly, I conclude that the proposal would not cause material harm to the character or appearance of the area. The scheme would thus comply with the requirement of Policy CS14 of the WBCS for new development to demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Since there would be no visual intrusion into open countryside there would be no harm to landscape character and thus no conflict with Policy CS19 of the WBCS.

Parking

10. The appeal scheme would provide a total of 5 on-site parking spaces. The Highways Officer has confirmed that this would meet the Council's parking standards. Notwithstanding this, concern is raised regarding the adequacy of the parking given the number of desk spaces shown on the internal floor plan.
11. There can be no guarantee that the building would be used in the manner shown on this plan. In any event, parking standards are devised according to gross floorspace and this methodology is designed to accommodate different forms of usage. To my mind, compliance with the standards in this particular case is a significant factor in the scheme's favour.
12. It was apparent during my visit that kerbside parking within Pincents Lane is heavily controlled. I saw a row of approximately 10 unrestricted spaces immediately to the south of the entrance to the business park but otherwise the

road is subject to double yellow lines along its entire length up to the junction with the A4 Bath Road. Any overspill parking from the appeal site would result in greater competition for the limited number of on-street spaces available, but this in itself would not give rise to unacceptable highway safety issues.

13. The appellant has indicated that additional parking would be provided in the grounds of the hotel opposite. This may be an option, but I share the concern of the Council that such a solution has not been properly secured and may not be available if the development is sold off separately.
14. In all likelihood, occupiers of the proposed development when faced with parking difficulties would explore other options such as car sharing or alternative travel modes. Despite the Council's claims to the contrary, the location benefits from adequate public transport infrastructure with regular bus services operating from outside the nearby Pincents Lane Retail Park and a railway station within comfortable walking range for most people.
15. Of the policies cited by the Council, Policies CS13 and CS14 of the WBCS are most relevant to this issue. These seek to promote high quality and sustainable design which amongst other things improves travel choice and the opportunities for safe travel. In my judgement, the proposed development would not compromise highway safety on Pincents Lane and its location would provide the option for office workers to use sustainable transport modes. It would therefore be consistent with the above policies.

Other Matters

16. I note the parish council's concern regarding the effect of the scheme on an existing duck pond outside the site. However, there is no firm evidence to convince me that the proposal would harm wildlife.
17. I understand that Pincents Manor Hotel is a listed building. I am required under statute to have special regard to the desirability of preserving the setting of this building. Given the separation distance, the modest height of the proposed structure and the presence of intervening vegetation, I do not consider that there would be any material harm to the setting or significance of the heritage asset.
18. Although it has been suggested by a third party that the scheme would encroach onto adopted highway, the officer report confirms that the site is not highway land. Consequently, this matter has not had a bearing on my decision.

Conditions

19. The Council has provided a list of suggested conditions which I have considered against the six tests set out in paragraph 206 of the National Planning Policy Framework and advice within the Planning Practice Guidance. Where necessary I have adjusted the wording to improve precision and enforceability.
20. In addition to the standard commencement condition, it is necessary to attach a condition to define the plans with which the scheme shall accord. This will provide certainty regarding the scope of the permission. A condition is also required to secure details of materials in the interests of the character and appearance of the area. For the same reason I have attached a condition in relation to the submission of a landscaping scheme.

21. Further conditions are required to secure the construction of the parking area and to ensure provision of cycle parking, in the interests of highway safety and providing sustainable travel choices respectively.
22. The local planning authority has requested a condition to control hours of construction. However, since there are no residents living in the immediate vicinity of the site such a condition is unnecessary.

Conclusion

23. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Robert Parker

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos 02-00 Rev P, 02-01 Rev P1, 02-10 Rev P1, 03-10 Rev P1, 04-10 Rev P1 and 05-10 Rev P1.
- 3) No development shall commence until details and samples of the materials to be used for the external walls and roofs of the building have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall commence until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the local planning authority. The details shall include a schedule of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:
 - a) Completion of the approved landscaping scheme within the first planting season following completion of development or occupation of the development, whichever is the sooner.
 - b) Any trees, shrubs or plants that are removed, die or become seriously damaged or diseased within five years of planting shall be replaced in the following year by plants of the same size and species.
- 5) No development shall commence until details of secure cycle parking for users of the building have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the cycle parking has been provided in accordance with the approved details. It shall be retained thereafter for use in connection with the development.
- 6) The development hereby permitted shall not be occupied until the parking area shown on the approved plans has been laid out and surfaced in a properly consolidated material, details of which shall be first submitted to and approved in writing by the local planning authority. The parking area shall thereafter be kept available at all times for parking in connection with the development.