
Appeal Decision

Site visit made on 23 May 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 20 June 2017

Appeal Ref: APP/W0340/W/17/3170011

Block A, Pipers Industrial Estate, Thatcham RG19 4NA

- 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 Enzo Aufiero against the decision of West Berkshire Council.
 - The application Ref 16/01617/FUL, dated 9 June 2016, was refused by notice dated 31 August 2016.
 - The development proposed is an extension to the existing workshop unit.
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Decision

1. The appeal is allowed and planning permission is granted for an extension to the existing workshop unit at Block A, Pipers Industrial Estate, Thatcham RG19 4NA in accordance with the terms of the application, Ref 16/01617/FUL, dated 9 June 2016, and the plans submitted with it, subject to the following 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: AB 01 rev E; AB 02 rev D.
 - 3) The development hereby permitted shall not be used until space has been laid out within the site in accordance with drawing no. AB 01 rev E for 18 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for those purposes.

Preliminary Matters

2. At the time of my site visit I noted the erection of a steel frame to the rear of the building, as well as a steel shipping container beside the building and a second in the opposite corner of the car-park.
 3. The appellant has submitted a revised site plan with the appeal with a reduction in parking spaces from 18 to 15. It is only appropriate to take this amendment into account if no party would be disadvantaged. In *Bernard Wheatcroft Ltd v Secretary of State for the Environment* [JPL, 1982, P37] it was held that the main criterion is whether the development would be so changed by such amendments that to grant permission would be to deprive those who should have been consulted of the opportunity of such consultation.
 4. The change proposed may reduce the parking capacity within the site, and I note that the description of development has not been amended by the
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appellant. In these circumstances, third parties who have been notified may not be aware of the revision. Thus, in accordance with the principles in *Wheatcroft*, the amended plan submitted with the appeal does not form part of my considerations below; my decision is based upon the same plans as those upon which the Council made its determination.

Main Issue

5. The main issue is the effect of the proposed development on the safe and efficient operation of the highway network in the vicinity of the appeal site.

Reasons

6. The appeal site contains a modern industrial building of 223m² floor area with two workshop bays used for MOTs, car servicing and repairs, standing in front of a large, enclosed area of parking and hardstanding inside an industrial estate. The proposal involves an extension with a floor area of 121m² to provide a third workstation bay. The Council considers that there would be insufficient space remaining within the parking area of the site to accommodate the cars anticipated to visit the expanded premises, which would result in parking overflowing onto the surrounding Estate roads and as a consequence, serious harm to road safety.
7. There are no Council parking standards for this type of use and the highways authority accepts that had the application been for a new site with no 'known history', the proposed amount of parking would probably have been found adequate. On the basis of the movements of cars into and out of the workstation bays which I saw, and taking account of staff and company parking as well as the retained turning space, 6 parking spaces for each of the 3 workshop bays appears an acceptable provision.
8. Notwithstanding this, the Council is concerned that the appellant would store MOT failures on-site which would block many of the parking spaces. However, while this may have been the case in the past, at the time of my visit there was more free parking space than occupied parking space. While I appreciate that my site visit was only a snapshot and I understand the Council's concern about the blocking of parking spaces, there is no evidence to suggest that the parking would be blocked which would lead to overflow parking.
9. I agree that the proposed parking layout includes spaces which would involve difficult manoeuvring. However, these are relatively few. In the context of a yard where the mechanics frequently manoeuvre cars into and out of the workshop bays, and where the ordering of cars into their relevant spaces is within the control of those mechanics, the layout is not unworkable.
10. The Council has found the parking strategy imprecise and not fully justified. However, it sets out the operations within the site and the procedure for dealing with Ministry of Transport (MOT) test failures. In relation to the scale of the business and the amount of movements and parking in relation to the space on site, I do not find it unsatisfactory.
11. I note the Council's photographs of cars parked on the Estate road close to the site, however there is no evidence as to which industrial unit they were connected with, or what harm those parked vehicles were causing. The Estate road is long, and around 200m from the adopted highway which has restricted parking. It serves numerous units with parking areas, which at the time of my

visit were not fully occupied, despite almost all of the units appearing to be in use.

12. In the context of a planning application connected with the expansion of a growing business, I give significant weight to the Government's commitment¹ to supporting sustainable economic growth to create jobs and prosperity and its expectation that planning should encourage this rather than act as an impediment. In any event, the proposed development would not have a harmful effect on the safe and efficient operation of the highway network in the vicinity of the appeal site.
13. There would be no conflict with policies CS13 and CS14 of the West Berkshire District Core Strategy (2006 to 2026) July 2012 or with saved policy TRANS.1 of the West Berkshire Local Plan 2007 which require development to meet its transportation needs and to mitigate the impact on the local transport network. Nor would there be conflict with paragraph 32 of the National Planning Policy Framework which says that decisions should take account of whether safe and suitable access to the site can be achieved for all people, and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Conditions

14. The Council has suggested a number of conditions that it considers would be appropriate were I minded to allow the appeal. I have considered these in the light of the Planning Practice Guidance (PPG); for clarity and to ensure compliance with the PPG, I have amended some of the Council's suggested wording. Aside from the statutory time limit condition, and in order to provide certainty, it would be necessary to impose a condition requiring the development be carried out in accordance with the approved plans.
15. The application form details the materials of the proposal as to match the existing building; I do not consider an additional planning condition necessary to secure this. Given the size of the extension versus the areas of parking and hardstanding, it would be necessary to secure the parking arrangement and turning area as shown on the layout and that the space be retained. However, as the surface of the yard appeared to me to be in satisfactory condition, and as the parking of vehicles is within the control of the workshop staff, I do not consider the submission of details of surfacing and marking-out for the Council's approval necessary to make the development acceptable.

Conclusion

16. For the reasons above, and having had regard to all other matters raised, the appeal is allowed.

Patrick Whelan

INSPECTOR

¹ National Planning Policy Framework paragraphs 17 and 19