
Appeal Decision

Site visit made on 20 September 2020

by A Blicq BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 05 October 2020

Appeal Ref: APP/X0360/W/20/3254820

Woosehill Shopping Centre, Wokingham RG41 3SW

- 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 WM Morrisons Supermarket Ltd against the decision of Wokingham Borough Council.
 - The application Ref 200295, dated 5 February 2020, was refused by notice dated 19 March 2020.
 - The development proposed is Barber pod (retrospective).
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Although the Council has not found harm in relation to pedestrian safety in the car park, the highways officer's response states that the situation is not satisfactory. Safety concerns have also been raised by interested parties at application and appeal stage. As such, I have found it appropriate to include pedestrian safety as a main issue and during the appeal I invited the appellant to forward additional comments. These have been taken into account.

Main Issues

3. The main issues are the effect of the development on:
 - The safety of pedestrians within the car park; and,
 - The character and appearance of the area.

Reasons

Pedestrian safety

4. The barber pod is situated in a corner of the car park adjacent to an exit to Fernlea Drive. It occupies three parking spaces and its entrance opens directly into the car park, within the depth of a parking bay.
5. The supermarket has designated parking for specific vulnerable groups. These bays are located close to the supermarket entrance, presumably to avoid vulnerable groups traversing across the car park for longer distances than necessary. The barber pod is located on the periphery and appears to be open to customers of all ages. I conclude that its customers might include people who are deemed vulnerable in the context of a supermarket car park, yet

access to the pod has no ground demarcation or physical barriers to segregate customers from the moving traffic directly outside its door.

6. Paragraph 110 of the National Planning Policy Framework (the Framework) requires development to minimise the scope for conflict between pedestrians and vehicles. There is nothing before me to indicate the reasoning behind the pod's position within the car park, or how pedestrian safety is managed. The design and access statement notes that *existing white lines will be burnt off and the new area de-marked to provide safe access into the new pods*. The white lines have not been burnt off and there is nothing on the ground to suggest there are preferred routes to the entrance door.
7. Although the highways officer's report notes that vehicle speeds will be low, which gives a low potential for conflict between vehicles and pedestrians, the comment goes on to say that *this is not an entirely satisfactory situation, particularly when the car park is fuller and visibility is impeded*.
8. Moreover, the town council recommends a safety barrier and safety has been raised by several interested parties, including one who has given a specific instance of a near miss.
9. I conclude that the current situation does pose a hazard and is detrimental to pedestrian safety. Moreover, the current siting of the pod and its proximity to the running lanes precludes mitigation. On that basis I conclude that the development is contrary to Paragraph 110 of the Framework.

Character and appearance

10. The pod is a boxy prefabricated unit with a glazed front. It has a smart black and white painted finished with adverts on the side and rear walls. It is some distance from the supermarket and is not seen in the context of any other nearby buildings. In principle, I do not find its appearance particularly inappropriate in an environment of parked cars and glazed trolley shelters.
11. The pod is located close to a car park exit and the peripheral landscaping is severely pruned. Whilst the pod is intrusive and appears slightly incongruous in this location, its appearance is not significantly more detrimental to the surrounding area than views into the car park above the pruned shrubs.
12. The Council has referred to guideline NR3 of the Borough Design Guide in relation to its consideration of the area's character. This is concerned with the approaches to non-residential buildings, and recommends the avoidance of walking through parking spaces to gain access. However, notwithstanding my concerns in relation to pedestrian safety, this seems unnecessarily prescriptive for a unit of this size and scale in relation to character and appearance.
13. Consequently, although I am not satisfied that this is the most appropriate location for the pod, in the absence of safety concerns I would not find sufficient harm in relation to the character and appearance of the area to warrant dismissal of the appeal.
14. In the light of the above, I conclude that the pod does not have an adverse effect on the character and appearance of the area, and is not contrary to the design aims of Policy CP3 of the Local Plan (LP) or the Borough Design Guide. LP Policy CP1 is also cited on the decision notice although it is not mentioned in the officer's report. Having reviewed LP Policy CP1 I find no conflict with the

development in respect of the character and appearance of the area. Nor do I find any conflict with the Framework in this regard.

Conclusion

15. I appreciate that the pod is a useful and convenient facility for the neighbourhood. However, this benefit does not outweigh my concerns in relation to pedestrian safety arising from its current location. I have considered whether I could allow the appeal with a condition to enable the Council to have greater control over the pod's location. However, as this is retrospective, I have concluded that the resultant permission would be for a materially different application than the one before me. Adequate safety measures could also require the loss of more parking spaces than is currently the case.
16. The development would be contrary to national guidance and therefore the appeal should be dismissed.

A Blicq

INSPECTOR