



Appeal Decision

Site visit made on 2 March 2023

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 March 2023

Appeal Ref: APP/X0360/W/22/3303884

Parrot Farm, Arborfield Road, Shinfield RG2 9EA

- 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 Contract Trading Services at University of Reading against the decision of Wokingham Borough Council.
 - The application Ref 213156, dated 20 September 2021, was refused by notice dated 25 February 2022.
 - The development is Change of use from mixed agricultural use/sui generis to Use Class B8 (Storage and Distribution) and creation of new palisade fence and gate.
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Decision

1. The appeal is allowed and planning permission is granted for Change of use from mixed agricultural use/sui generis to Use Class B8 (Storage and Distribution) and creation of new palisade fence and gate at Parrot Farm, Arborfield Road, Shinfield RG2 9EA in accordance with the terms of the application, Ref 213156, dated 20 September 2021, and the plans submitted with it: Site Location Plan, dated 27 September 2021, Location Plan and Site Plan drawing job no: 1032, dated October 2021; Block Plan, dated 27 September 2021 and Parrot Farm Entrance Elevation drawing job no: 1032, dated October 2021, and subject to the following conditions:
 - 1) The use hereby permitted shall be for a limited period being the period of 2 years from the date of this decision. The use hereby permitted shall be discontinued and the land restored to its former condition in accordance with a scheme of work that shall first have been submitted to and approved in writing by the local planning authority.
 - 2) Within 3 months of the date of this permission, a site layout plan which indicates parking and turning for vehicles and the areas allocated for storage shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter maintained in accordance with the approved details.

Preliminary Matters

2. At the time of my site visit, I saw that the proposed development had commenced and appeared to be completed. I also note that the application has been submitted retrospectively. I have dealt with the appeal on that basis.
3. It is a matter of disagreement between the parties as to whether part of the site benefits from a lawful use for B8 storage under Class R of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development Order) (England) 2015. However, it is not my role to determine the lawfulness of any

existing or proposed uses. As the lawfulness of the existing use of part of the site is in dispute, I have determined this appeal on the basis of the lawful use of the appeal site, which is as agricultural land.

Main Issues

4. The main issues raised by this appeal are i) whether the development would be in a suitable location, having regard to the development strategy for the area, and ii) the effect of the development on the character and appearance of the area.

Reasons

Suitable Location

5. The appeal site consists of a parcel of land on the northern side of Arborfield Road in Shinfield. Parrot Farmhouse is situated immediately to the west of the site, enclosed with mature evergreen trees. Further existing housing is situated to the southern side of the road, with an Esso garage and Kwik Fit also situated nearby. Arborfield Road is a relatively busy road, subject to a 40mph speed limit. The presence of a pavement on its southern side and 2 roundabouts at either end of this section of the road gives the immediate area an urban feel. However, notably, the site lies outside of the settlement limit of Shinfield, which runs on the opposite side of Arborfield Road.
6. The appellant uses the site for the storage of materials, building equipment, and other large bulky items, which are used by the appellant on an infrequent basis for various construction related projects. There are 2 former agricultural buildings on the site, a smaller brick and timber built building, used for the storage of smaller items (including paint, furniture, equipment and tools) and a larger building used for the storage of small commercial vehicles and a digger. There are also 2 shipping containers which are taken off site and used as site offices. There are no manufacturing or industrial processes occurring on site. An established hedgerow encloses the site along the highway, with the smaller of the 2 buildings running with its eaves parallel to the highway.
7. There is no dispute that the appeal site is outside of the identified settlement limits. Policy CP11 of the Wokingham Borough Core Strategy Development Plan Document (January 2010) (the Core Strategy) is therefore relevant in this case. This policy aims to protect the separate identity of settlements and maintain the quality of the environment. It states that proposals will not normally be permitted except where they meet a number of criteria. The development is in conflict with Policy CP11 due to it being a new development, on land that is not previously developed and is outside a development limit, and which does not meet any of the exception criteria.
8. Consequently, the development by virtue of its location outside of the settlement limit of Shinfield, is not in a suitable location, having regard to the development strategy for the area. The development is contrary to CP6, CP9 and CP11 of the Core Strategy which, in combination, seek to only permit development outside of development limits where it would meet certain exceptions, which would not apply to the development, and to ensure that the scale of development reflects the existing and proposed levels of facilities and services at a location, in order to minimise the distance people need to travel.

9. The development is also contrary to Policies CC01 and CC02 of the Managing Development Delivery Local Plan (February 2014) which requires development to be approved that accord with the policies in the development plan and where proposals are at the edge of settlements, to only be granted where development is within development limits and respects the transition between built-up area and the open countryside, taking account of the character of the adjacent countryside and landscape.

Character and Appearance

10. The development is screened from Arborfield Road by the established hedgerow and the existing buildings on the site. Along the road, only glimpses of the development are possible, and it is seen in the more urban context of the nearby surrounding buildings, most notably Parrot Farmhouse and the residential properties on the opposite side of the road. Therefore, the development is not conspicuous. Furthermore, it does not lead to the excessive encroachment of development away from the original buildings on site. I also note the lack of objection from the Council's Landscape Officer, who acknowledges that the character of the surrounding countryside is not adversely affected by the change of use.
11. Consequently, the development does not harm the character and appearance of the area. It is in accordance with Policy CP3 of the Core Strategy, which requires development to be of an appropriate character to the area and to be of a complementary use.

Other Matters

12. I note the Council did not raise any objection to the palisade fence and gate at the entrance to the site. Based on the evidence before me, and as confirmed by my site visit, I have no reason to come to a different conclusion on the matter.
13. I note the Council's concerns regarding a B8 use class and that other companies could occupy the site, significantly increasing the usage and vehicle movements to and from the site. However, the size of the appeal site and the former agricultural buildings would limit the future use of the site so that their impact on both highway safety and the countryside would very likely be similar to the appeal development.

Planning Balance

14. Given the nature of its use, the development clearly delivers some economic benefits, in terms of supporting the appellant's business needs and contributing to the local economy, which is recognised by the Council. The National Planning Policy Framework 2021 (the Framework) confirms that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and where there are opportunities for development. The Framework also states that planning decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements. In these circumstances, it seems to me that the economic benefits must carry substantial weight as a material consideration.

15. It is noted that the site forms part of the area identified as the South of the M4 Strategic Development Location (SDL), which is covered by Policy CP19 of the Core Strategy. The SDL is expected to deliver around 2,500 dwellings, appropriate employment and retail facilities, as well as social and physical infrastructure. I note from the masterplan extract provided by the Council that the site is within an area allocated for potential green space. However, I also note that part of the Local Plan Update: Revised Growth Strategy Consultation November 2021-January 2022, the appeal site, as part of a larger site, is now expected to deliver 191 dwellings. However, this is only at consultation stage, and has not yet been subject to an examination process to determine its soundness. As such, this has only limited weight in my decision.
16. I have found that the development is in conflict with the development plan, by virtue of its location outside of the recognised settlement limits. However, the overall objective of Policy CP11 of the Core Strategy is to protect the separate identity of settlements and to maintain the quality of the environment. The adopted growth strategy for the Borough identifies the appeal site, as well as the surrounding area, to be subject to change and to no longer be 'open countryside'. Furthermore, I have found that the development does not lead to the excessive encroachment of development away from the original buildings on site and concluded that the character and appearance of the area is preserved. Therefore, whilst strictly not in accordance with Policy CP11, the development is still consistent, to a degree, with the overall thrust of Policy CP11.
17. The appellant has suggested a temporary permission for the development of either a 1 or 2 year period, on the basis that given both the adopted and draft allocation, the appellant will not be occupying the site in the long term. The Planning Practice Guidance (PPG) advises that circumstances where a temporary permission may be appropriate include the temporary use of vacant land or buildings prior to any longer-term proposals coming forward (a 'meanwhile use'). Given the nature of the use, the lack of new buildings and the fact that nothing on the site is a permanent structure, the development is considered as an appropriate 'meanwhile use'.
18. Therefore, while the development is in conflict with the development plan as a whole given its location outside of the settlement boundary, the harm caused would be minor. The significant economic benefit together with the temporary nature of the development would, in this instance, outweigh that conflict and the appeal will therefore be allowed.

Conditions

19. The standard time limit condition is not required as the development permitted has already been implemented. As already mentioned, in these circumstances, a temporary permission condition, to restrict the use of the site for 2 years is considered both reasonable and necessary, having regard to the development strategy for the area.
20. The Council have requested 2 further planning conditions be imposed. I have assessed these in light of the advice provided in the PPG.
21. In the interests of highway safety and to ensure adequate onsite parking, a condition to require a site layout plan, which identifies areas for the parking and turning of vehicles, as well as the areas allocated for storage, to be

submitted and approved in writing is considered both reasonable and necessary. I have amended the condition to remove the 'tailpiece' phrase from this condition which could allow significant changes to the operation of the site without going through the statutory route to vary the condition.

22. The Council have also requested that a condition be attached to restrict the operating hours of the use to 0900 – 1800 Monday to Saturday. However, the appellant has objected to this as these hours would not be appropriate to the use of the site. The Council state that the reason for the condition is to safeguard residential amenity. It is noted that the consultation response from Environmental Health commented that operating hours may be required in order to reduce any possible noise disturbance to the nearby residential properties. However, the use of the site is for storage and distribution. There is no processing or manufacturing taking place on site and I have not been presented with sufficient evidence which justifies restricting the hours of operation. This is especially as the use will only be temporary. Therefore, an operating condition is not necessary or reasonable in these circumstances.

Conclusion

23. For the reasons given above I conclude that the appeal should be allowed.

Laura Cuthbert

INSPECTOR