



Appeal Decision

Site visit made on 21 October 2024

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th November 2024

Appeal Ref: APP/M1595/W/24/3339210

Land at 1 High Street and 1-6 The Green, Stanford Le Hope SS17 0EX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr C Gluck of BSD Brooklyn Parade Limited against the decision of Thurrock Borough Council.
 - The application Ref is 23/01437/PAOFFR.
 - The development proposed is a Prior Notification requirement under Part MA of the GPDO for the change of use of Class E space to form 5 apartments.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form state that the appeal site address is 'First & Second Floor Only, Nos 3-6 The Green', whereas the decision notice refers to the site as 'Land at 1 High Street and 1-6 The Green' and the appeal form refers to the site as '1-6 The Green'. I have taken the address from the decision notice as this is sufficiently precise. I do not consider that this has prejudiced any of the parties and I have proceeded on this basis.
3. Article 3 (1) and Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) grants planning permission, subject to certain limitations and conditions, for a change of use of a building and any land within its curtilage from a use falling within Class E of Schedule 2 to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

Main Issue

4. The prior approval matters for Class MA includes, amongst other things, the transport impacts of the development, particularly to ensure safe site access. There is no dispute that the other criteria of Class MA are satisfied. As such, there is no need to give them further consideration within this decision.
5. Therefore, the main issue is whether the transport impacts of the development are acceptable, particularly to ensure safe site access.

Reasons

6. The appeal site is a building within a parade consisting of commercial units at ground floor level. To the front of the parade is a marked parking bay. The

parking bay and roads in the town centre, High Street and The Green, are within a Controlled Parking Zone and are subject to parking restrictions. Other roads within the town centre are subject to the operation of Permit Parking Areas, with on-street parking restricted to resident permit holders.

7. The proposal does not include any on-site parking spaces. The site is in a highly accessible location where future occupants would not be reliant on private vehicles to access facilities and services and the proposal would include facilities for cycle storage. I also acknowledge the environmental and health benefits associated with reduced car usage. The appellant states that the proposal would be car free, and no parking permits would be issued to occupiers of the units. However, there is no mechanism before me that would secure and retain the scheme as car free development this. In the absence of such, I cannot be certain that the development would be car free.
8. The lack of on-site car parking spaces would lead to the displacement of vehicles onto the public highway where parking is subject to restrictions. Although the submitted parking survey indicates that on-street parking spaces in the locality are typically below capacity, including overnight, there is no guarantee that spaces would be available, particularly given the restrictions in place. It is therefore likely that future occupants with cars would need to locate alternative parking spaces leading to undue parking pressure.
9. I conclude that the proposal would have an unacceptable transport impact, including in relation to highway safety and the flow of traffic in the locality. As such the proposal would not satisfy condition MA.2. (2) (a) of the GPDO.

Conclusion

10. For the reasons given above the appeal should be dismissed.

J Pearce

INSPECTOR