



Appeal Decision

Site visit made on 17 December 2024

by U P Han BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2025

Appeal Ref: APP/W0340/W/24/3349782

55 Chapel Street, Thatcham, West Berkshire RG18 4JS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Sharon May of STATS (Hampshire) Limited against the decision of West Berkshire District Council.
 - The application Ref is 23/02509/FUL.
 - The development proposed is creation of a 1 bedroom ground floor flat with associated parking and amenity space and change of use of the remainder of the property from Class C3 residential dwelling to Class E (e) consulting rooms.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was issued on 12 December 2024. Whilst some paragraph numbers have changed, the relevant paragraphs and parts of paragraphs identified as directly affecting this case have not been amended. Therefore, in this case it has not been necessary to consult the parties on the revised Framework.

Main Issues

3. The main issues are:
 - whether or not the access would be suitable for the proposed development; and
 - the effect of the proposed development on the safety and convenience of those using the highway and the character of the area with particular regard to parking.

Reasons

Access

4. The appeal relates to a linked detached two-storey dwellinghouse within a predominantly residential area. The appeal site benefits from a rear car parking area accessed from Chapel Street (the A4). Thatcham Town Centre is a short walkable distance from the site and contains a wide range of services and facilities.
5. The appeal proposal seeks to create a 1 bedroom flat in the western part of the building at ground floor level. The remainder of the building would be a counselling

practice under Use Class E(e). There would be 6 consulting rooms that would accommodate 1 therapist and 1 client at a time. The consulting rooms would operate from 09:00 to 20:00 hours Monday to Friday with appointments of approximately 50 minutes in duration.

6. The proposal seeks to utilise the existing vehicular access and driveway. The width of the access and driveway can only accommodate a single vehicle entering or exiting the appeal site at a time. It is of insufficient width for two vehicles to pass, both where it meets the A4, and along the length of the driveway. In accordance with Figure 7.1 of Manual for Streets, a minimum width of 4.1 metres is required for two cars to pass each other. The access is only approximately 3.5 metres wide. The narrow width of the access and driveway would potentially lead to vehicles waiting on or reversing onto the A4 to allow vehicles to enter and exit the site. The appeal site is situated between two busy traffic signalised junctions with footways and cycle lanes on both sides of the carriageway. Waiting on or reversing onto the A4, at this location, would be hazardous to and inconvenient for other users of the highway.
7. The swept path analysis demonstrates that there is sufficient space for one vehicle to wait within the proposed parking area while another vehicle enters, or for one vehicle to wait while another vehicle manoeuvres out of the parking area. However, this does not overcome the fact that the width of the access and driveway is insufficient to accommodate two vehicles, thereby requiring vehicles to potentially wait on or reverse into the A4. Neither would visibility of the site access from the parking area prevent this situation due to the limited width of the access and driveway.
8. According to the appellant's appeal statement, the existing dwelling generates 5 two-way vehicle trips in one day. Under the appellant's 'worst-case scenario' the proposal would give rise to 18 two-way vehicle trips in one day. These trips are largely attributed to staff vehicular movements in the AM and PM peak. Therefore, while the appeal proposal does not include on-site client car parking provision, it would nevertheless result in significantly more vehicular movements than the existing use. Furthermore, the 'worst-case scenario' does not take account of deliveries or therapists making other trips during the day.
9. While on-site client parking is not included in the proposal, apart from a single disabled parking space, there is potential for clients to be dropped off and picked up either within the car park or on the A4. Due to the restrictions in place along the A4 to prevent kerbside drop-off and pick-up, there is significant potential for vehicles to access the site for this purpose, as well as for delivery of goods. I am therefore of the view that the number of vehicle trips to and from the site has been under-estimated.
10. The appellant assumes a 60% 'occupancy rate' for the consulting rooms which equates to 22 clients a day. A 'worst case scenario' has been indicated as up to 36 clients a day. This is based on 6 therapists seeing 6 clients, each with a 50-minute appointment. However, given the number of therapists and the hours of operation proposed, this figure could be significantly more. This reinforces my view that the number of vehicular trips to and from the site has been underestimated. A greater number of vehicle trips would increase the potential for both vehicular and pedestrian conflict at the access.

11. The appellant has submitted a letter template that would be used, should the appeal be allowed, to advise clients that there is no on-site parking provision. However, this would not preclude clients from being dropped-off or picked-up at the appeal site.
12. A Safety Assessment prepared by Tatum Consulting (dated June 2024) concluded that the proposal would give rise to only a 'low' risk of collision pre-mitigation. The SA methodology does not appear to take account of vehicular trip generation by the proposal. However, the removal of on-site client parking during the course of the application has been identified as a mitigation measure that would help to reduce the amount of vehicle movements. In addition, no account has been taken of deliveries and other trips that could be made by therapists during the day.
13. The appellant refers to research undertaken for Manual for Street in relation to direct access frontages which shows that very few collisions occurred involving vehicles turning into and out of driveways. However, the appellant's statement indicates that the 20 sites assessed were all houses. Therefore, they do not represent a direct parallel to the appeal proposal which includes Use Class E(e) and would generate significantly more traffic movements than a dwelling.
14. The appellant contends that the appeal proposal would only give rise to momentary delay on the A4 no greater than would arise by virtue of the site's existing use as a dwelling. However, the frequency of delays on the A4 could potentially increase as a result of the more intensive use proposed. This would give rise to increased potential for vehicles waiting on the A4, which is a busy road, and more potential for conflicting traffic movements.
15. While the appellant's appeal statement suggests that there is separate vehicle and pedestrian access to the site, the submitted plans show a reception area at the rear of the appeal building and a ramp to the reception area from the car park at the rear. The bicycle stands are also proposed at the rear of the building. This indicates that the narrow access and driveway would also be used by cyclists and potentially pedestrians, thereby increasing the probability of conflicting movements. Even if the vehicle and pedestrian/ cycle access to the site were completely separate, it would not mitigate for the harm to the safety of pedestrians travelling along the footway and cyclists travelling along the road due to vehicles potentially reversing onto the A4 as a result of the narrow access and driveway.
16. The proposal would result in a significant increase in the use of the access, which is substandard in respect of width. Consequently, this would increase the potential for conflicting traffic movements, reversing movements, and vehicles stopping on the A4 which would be to the detriment of the safety and convenience of those using the highway. The Framework requires applications for development to provide safe and suitable access to the site and minimise the scope for conflicts between pedestrians, cyclists and vehicles. The proposal would increase rather than minimise potential conflict of movements and not provide a safe or suitable access.
17. For the reasons given, the access would not be suitable for the proposed development. Hence, it would conflict with Policy CS13 of the West Berkshire District Core Strategy (2006-2026) (July 2012) (the CS) insofar as it requires development to improve and promote safe travel.

The Effects of Parking

18. A total of 8 car parking spaces are proposed in the rear of the site with 1 serving the residential unit and 7 serving the proposed consulting rooms. Of the 7 car parking spaces, 1 would be a disabled parking space for clients. The 6 remaining spaces would be for staff only. The appellant confirms that there would be no client car parking provision within the site except for the 1 disabled parking space.
19. The proposed single parking space, electric vehicle charging point and bicycle storage would meet the requirements of Policy P1 of the West Berkshire District Council Housing Site Allocations Development Plan Document (May 2017) (The DPD). The Council has raised no concerns regarding this aspect of the appeal proposal, and I find no reason to disagree.
20. Policies CS13 and CS14 of the CS do not refer to the need for car parking provision or that it should be contained within the development. However, Policy TRANS.1 of the West Berkshire District Local Plan (1991-2006) Saved Policies (September 2003) (the SP) requires development to provide car parking provision commensurate with the availability of alternative modes and having regard to the adopted parking standards. Appendix 5 of the SP sets out the car parking standards for broad classes of development. However, there is no guidance or standards for Use Class E(e) or equivalent.
21. There are bus stops within 150 metres of the appeal site and a train station some 1.5 kilometre away, providing frequent services. Therefore, the appeal site is readily accessible by bus and train, which would help to reduce car travel and consequently the demand for on-street parking.
22. The A4 has wide well-lit footways on both sides connecting to nearby side roads serving extensive residential areas which are within walking distance of the appeal site. There are also on-road cycle lanes on either side of the A4 adjacent to the appeal site. Therefore, the site is readily accessible by walking and bicycle, which would also help to reduce car trips to the appeal site and accordingly the demand for on-street parking.
23. Nevertheless, I accept that some demand for car parking would likely remain as some clients would prefer to travel by private car. In terms of parking provision, there is a lay-by opposite the appeal site which is available for about 6 cars to park on the street. The Council has submitted photographs showing the lay-by to be at or near full capacity. However, during my site visit, it was only about half full. The Council has also submitted photographs showing a high level of on-street parking in the residential roads close to the appeal site. This includes Coombe Court, Park Avenue, Anvil Court, Elms Avenue and to a lesser extent Prancing Horse Close. Based on my site observations, the level of on-street parking in the nearby residential streets was not near or at full capacity. Neither, on this basis, did it appear to unduly detract from the existing residential character of the area. While I acknowledge that my site visit took place at a particular point in time and therefore may not be entirely representative of the situation, I am not convinced that the proposal would increase on-street parking to the level that would unacceptably impact highway safety or unduly inconvenience those using the highway given the appeal site's accessibility to public transport, walking and cycling routes. It follows that the proposal would not give rise to levels of on-street parking that would harm the character of the surrounding residential streets.

24. Furthermore, the appeal site is within a short walk of publicly accessible town centre car parks. Should clients choose to drive, the Kingsland Centre Car Park and the Broadway provide public car parking facilities which are only approximately 400 metres from the appeal site. During my site visit, these public car parks were not near at full capacity. If the appeal were allowed, a condition could be imposed to require the submission of a Travel Plan to ensure measures are taken to reduce reliance on private car travel.
25. Overall, while the proposal could lead to the potential for some additional demand for on-street parking, taking account of the factors above, it would be unlikely to harm the proper functioning of the highway or the character of the area.
26. For the reasons given, the proposed development would not be detrimental to the safety and convenience of those using the highway or harm the character of the area with particular regard to on-street parking. Accordingly, it would comply with Policies CS13 and CS14 of the CS insofar as they require development to improve and promote safe travel.

Other Matter

27. An appeal¹ was allowed in 1990 for the change of use of the site together with 53 Chapel Street and the land to the rear from a hotel to offices. That permission has not been implemented. The then Inspector acknowledged that the “existing access is far from ideal given its width” but found that there was no substantive evidence before them to indicate that the proposal would result in an increase in traffic. Therefore, that scheme is not directly comparable to the appeal proposal before me which would generate significantly more traffic than the existing dwelling. It therefore does not lead me to any different conclusions in this case. Furthermore, part of the earlier site has now been developed for housing so the unimplemented scheme would not amount to a fallback position.
28. The appellant has pointed to what is argued are similar accesses off the A4 close to the appeal site. However, two of these serve houses which are likely to generate less traffic than the proposed use. Furthermore, one of the houses do not benefit from a dropped kerb so I am uncertain as to whether or not the access is formal. The remaining example is a business premises with a similar width access at the side of the property. However, I do not have details of the circumstances that led to the current arrangement or any planning permission that may have been granted so I cannot be certain that it is directly comparable. Moreover, this example would not justify allowing development that would adversely affect highway safety. In any event, I have considered and determined the appeal proposal on its own individual merits.

Planning Balance and Conclusion

29. Compliance with the development plan in respect of housing mix, internal space standards, private outdoor amenity space, flood risk, ecology, landscape, historic environment and living conditions are expectations for all development that would weigh neither for nor against the proposal and are considered neutral.
30. The appeal proposal would support economic growth which is strongly supported by the Framework. It would also provide counselling services where there is a

¹ T/APP/G0310/A/90/156221/P8.

large and increasing demand. In this way it would support the Framework's promotion of health and well-being. The site is accessible by alternative modes of transport and the proposal would make efficient use of land. These are all positive benefits which weigh moderately in favour of the proposal given its scale. However, the Framework also requires development to provide safe and suitable access and minimise the scope for conflicts between pedestrians, cyclists and vehicles.

31. I have found that the access is unsuitable for the proposed development and would consequently increase the potential for conflict between traffic movements, which weighs heavily against the proposal and conflicts with development plan policies. This leads me to an overall conclusion that the appeal scheme would not accord with the development plan, when considered as a whole.
32. In failing to comply with the policies set out above, the proposal conflicts with the development plan taken as whole and material considerations do not indicate that the appeal should be decided other than in accordance with the development plan. For the reasons given above, the appeal should therefore be dismissed.

U P Han

INSPECTOR