



Appeal Decision

Site visit made on 27 May 2025

by **Nicola Davies BA DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 June 2025

Appeal Ref: APP/V1505/W/25/3359572

61 Runwell Road, Wickford, Essex SS11 7HL

- 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 Mr Kartar Singh against the decision of Basildon Council.
 - The application Ref is 24/00139/FULL.
 - The development proposed is change of use of existing garage to click-and-collect (for plumbing and electrical store).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Local Planning Authority has cited Policy BAS BE12 of the Basildon Local Plan Saved Policies within refusal reasons one and two in its decision notice. However, that policy relates to new residential development and for the alteration and extension of existing dwellings. That is not what is being proposed here. Therefore, I have not relied upon Policy BAS BE12 in reaching my decision.
3. An amended drawing illustrating a revised parking layout was submitted to the Local Planning Authority during the course of the consideration of the planning application. However, it is explained that the access to some of the parking spaces does not fall within the red line of the planning application submission. This brings into question whether access rights would be available to some parking spaces. For this reason, the Local Planning Authority did not accept the amended drawing. For clarity, I have not taken into consideration this amended plan for those reasons set out by the Local Planning Authority.
4. A revised version of the National Planning Policy Framework (the Framework) has been published since the planning application was determined by the Council. I have had regard to the revised Framework in reaching my decision.

Main Issues

5. The main issues raised by this appeal are the effect of the proposed development on: -
 - a) The character of the area;
 - b) Highway safety; and

- c) Living conditions of existing occupiers.

Reasons

Character

6. Policy BAS SH1 of the Basildon Local Plan Saved Policies Document directs retail development to towns and commercial centres. A recent report commissioned by the Council identified there to be vacant floor space within Basildon Town Centre. On the evidence before me it is not clear why this residential location has been chosen for the proposed development. It is not attached to or within the grounds of an existing retail or commercial use that might justify its location. As such, the proposal would not accord with Policy BAS SH1.
7. This is a residential area although there are other commercial premises in close proximity to the appeal site and interspersed within the existing residential development. Notwithstanding this, the proposal would be within a stretch of residential development and within the grounds of a dwelling house. The immediate character of the site is residential. A commercial use, with its associated activity and related comings and goings would be out of keeping and, for this reason, would be harmful to the residential character of this locality.
8. For these reasons, I conclude that the proposed development would be harmful to the character of the area. The proposal would, therefore conflict with Policy BAS SH1 of the Basildon Local Plan Saved Policies Document. This policy seeks, amongst other matters, new retail development to be concentrated within urban areas and to not cause harm to the character of the area. This is in line with the objectives of the Framework that seeks to achieve well-designed places.

Highway safety

9. Essex County Council's Parking Standards require two on-site parking spaces for the dwelling. The Parking Standards also require two parking spaces to be provided for the click-and-collect use. The proposal would provide a total of two parking spaces within the site. As such, this would not meet the Parking Standards requirements.
10. The Parking Standards ensure that the development would provide adequate off-street parking provision to prevent vehicles parking on the public highway that could cause obstruction to other highway users that could lead to issues relating to highway safety.
11. The proposal would not provide sufficient on-site parking provision to accommodate both the occupiers of the dwellinghouse and the staff and visitors of the click-and-collect shop. As such, it is extremely likely that residents, staff or visitor would be required to park on the public highway, which I saw at my visit to be a busy highway. Consequently, there would be an increased risk of danger to road users as a result of increased parking along this busy highway.
12. I acknowledge that some customers may be local or could be those who may be passing by. Furthermore, the site is situated on a public transport route and close to commercial centres and other existing commercial uses. I accept that not all customers may arrive by vehicle but it is likely that most will. As such, these factors do not obviate my above concerns and offer little weight in support of the proposal.

13. For these reasons, I conclude that the proposed development would be harmful to highway safety. The proposal would, therefore conflict with Policies DM1 and DM8 of the Highway Authority's Development Management Policies. These policies seek, amongst other matters, to protect the highway network for the safe and efficient movement of people and goods and for development proposals to comply with the Essex County Council's Parking Standards.

Living conditions

14. It is proposed that the click-and-collect operations would operate until 21:00 Monday to Friday. It has been established that there would be approximately between six and ten customer visits to the shop per day. Whilst this may create some activity at the premises during the evening, such visits would be modest in number and unlikely to cause significant noise and disturbance to existing neighbouring residential occupiers.
15. For this reason, I conclude that the proposed development would not be harmful to the living conditions of existing occupiers. As noted above, I am not relying on Policy BAS BE12 of the Basildon Local Plan Saved Policies Document. Reason for refusal two provided on the Local Planning Authority's decision notice does not direct me to any other Basildon Local Plan Saved Policy with which there may be conflict. Furthermore, I have not found conflict with the Framework that seeks to achieve well-designed places.

Other Matters

16. I acknowledge that the proposal would be similar to commercial uses close by. However, the proposal needs to be considered on its own individual merits having regard to the particular circumstances of the site.
17. No.61 Runwell Road is a Grade II Listed building. The garage to which this proposal relates is within the grounds of the Listed building. The Local Planning Authority considers that given the existing garage door would remain and the proposed works would not affect the historic fabric of the Listed building the proposal would not impact upon the significance of the Listed building or its setting. As the proposal would not impact upon the Listed building I consider the proposal would preserve its setting. As such, the proposal would not impact upon the significance of the Listed building.

Conclusion

18. Whilst I have found in favour of the appellant in terms of the third main issue, this does not overcome the identified harm in relation to the first and second main issues.
19. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR