

Date- 14-11-24

Our Ref. 9213- Workshop

Planning statement relating to the provision of a new workshop to the rear of 20 Norcot Road Reading RG30 6BU

1.0.0. Recent History

The recent Enforcement Appeal Ref. **Appeal A APP/E0345/C/24/3338517 & APP/E0345/C/24/3338518**
Land at Norcot Road, Tilehurst, Reading RG30 6BU &
Appeal B- APP/E0345/C/24/3338521 & APP/E0345/C/24/3338522
Land at Norcot Road, Tilehurst, Reading RG30 6BU

The formal decision relating to Appeal A

Appeal A

1. It is directed that point 3 of the Notice ('The matters which appear to constitute the breach of planning control') is deleted and substituted with the following wording:

'Without planning permission, the of use of the land, within the area shown edged black and annotated on the attached plan, as a vehicle wash and valeting business (sui generis) with the erection of an associated waiting room'.

Also, it is directed that requirement (i) of the enforcement notice has a minor typographical error, in that the word 'to' should, instead, read 'the'.

2. Subject to these corrections the appeal is dismissed and the enforcement notice is upheld.

Appeal B

3. It is directed that point 3 of the Notice ('The matters which appear to constitute the breach of planning control') is deleted and substituted with the following wording:

'Without planning permission, the erection of a spray booth building, and a lean-to extension to the garage workshop.'

Also, requirement (i) is deleted.

4. Subject to this correction the appeal is dismissed and the enforcement notice is upheld.

The Inspectors appeal decision discusses the lawful use of the site & makes it quite clear the lawful use as one unit is B2 General Industrial with some ancillary storage.

The car sales to the front were completely independent and the inspector confirmed it was ancillary to the B2 use.

The car wash is Sui Genus & must be removed within 6 months of the decision.

No costs were awarded to Reading Borough Council due to the way the Enforcement Notices were prepared & served attempting to divide the site up.

The Inspector further goes on to say that the enforcement notice should not affect any existing use rights founded on the judgement of the Mansi principle. IE the B2 use.

The Council has misinterpreted the land's existing use rights, to the point where it could be considered that the intention of the notice, the subject of Appeal B, is to extinguish the B2 use and, as explained, by virtue of the Mansi principle, such an approach is unlawful. In illustration it would not be possible to comply with requirement 2 of the notice

We appreciate the Appeal was dismissed however the Inspector amended the wording as follows;

Enforcement Notice, the subject of Appeal B

38. Point 3 of the Notice ('The matters which appear to constitute the breach of planning control') is deleted and substituted with the following wording:
'Without planning permission, operational development involving the erection of (a) a building for vehicle body spraying, and (b) a lean-to extension to the garage workshop, within the area edged black and annotated on the attached plan'.

2.0.0. The proposal.

As the site now enjoys a B2 use lawfully, we would now like to rebuild the workshop as we tried before.

The spray booth is a legitimate part of that use & the inspector said;

52. It is stipulated that the requirements of both enforcement notices are to be complied with in full within six months of this decision. The paint spray booth, as it stands, is therefore set for removal. In light of my findings as to the site's Class B2 use rights, whether it might in future accommodate any paint spraying facility in accordance with the continued lawful use of Building 1 would have to be the subject of negotiation between the two main parties.

As the B2 operation can lawfully remain as a car body shop repairers & general repairs the unit will need to incorporate a paint oven & we would like to place it as shown on the attached drawings.

We have gone through the Abatement Notice & agreed with your Environmental Health the current unit is acceptable within the location.

This oven will be placed within the new unit & believe the Inspector would probably have approved the unit if able during the Appeal.

I have at this stage, omitted building 2 which was being used to house the car wash, which still enjoys the B2 use as want to incorporate this part within the restaurant use which will be subject to another pre app shortly.

This proposal now will tidy up the site & will include the removal of the canopy which we believe is immune from Enforcement action due to the time it has been in place ie over 4 years.



There are adjacent commercial uses in Lemart Close, Cassell Welding Ltd reside at 32 Lemart Close next door & enjoy a right of way within the green hatched area shown on the site plan. This is also a B2 general industrial use which is established.

Berkshire Facilities Management & Home installations Ltd reside at Lemart House next to Cassell Welding. There is a cluster of Class E & B2 uses within this location accessed off Lemart Close.

Lemart Close is accessed from Recreation Road where there is a large car park for shoppers & users of the local facilities.

No 22 Norcot Road gained consent Ref. 141366 for a rear extension to create three one bedroom apartments with associated private gardens, parking & refuse store which is complete & in use.
The proposed workshop starts South of these buildings, it is no wider than the existing building, but deeper.

The site is to the rear of the Tilehurst Triangle District Centre. Criteria c) of Policy RL3 states that "Within and adjacent to district, major and local centres, all new development should provide some 'centre uses' at the ground floor, unless it can clearly be demonstrated that this would not be possible or appropriate.

3.0.0. Use & Amount

The proposal is to demolish the old workshop & construct a new modern purpose-built unit. The larger unit will allow the vehicles under repair & refurbishment to be located within the new building rather than having to be left outside as they do at the moment.

This makes the site untidy & there is a security issue.

A purpose built spray booth will be located in the South West corner incorporating purpose built flues running through the roof.

The outside surfaces will be renewed incorporating a concrete surface with appropriate drainage & interceptors.

Looking at the overlay the proposed flank walls are where the building exists today, the depth is increased towards Cassell Welding at 32 Lemart Close.

3.1.0. Layout, scale & massing

The new building follows the flank walls of the existing which is Circa 18m wide.

The depth proposed is 15.4m with the spray booth extending another 5.5m.

The eaves of the main building is 4m with a ridge height of 5.7m

4.0.0. Landscaping

There is no scope for formal landscaping.

5.0.0. Appearance



The building will be formed incorporating a steel portal frame cladding with profiled metal & insulated as shown above with a dual pitch of 20°. Profiled metal rainwater goods.
The colours proposed are light grey cladding with a black flashing.
The roof will incorporate 10% roof lights.

6.0.0. Access & parking

Access will be via Lemart Close as exists today which is shared with Cassell Welding.
There is adequate parking in front of the building & inside the unit where the work will take place.

7.0.0. Policy assessment

This is Policy compliant with RL3 , it is situated within a row of commercial uses on the ground floor up to School Road.
The industrial use is `Established` & this proposal will greatly improve the visual & working environment within this small cluster on commercial units.
This application should be supported as it is providing continued employment & a local facility for Tilehurst.



8.0.0. Design Scale & Character

The design is typical of a small industrial unit tucked away in the south east corner of the site. The building is well away from the residential properties in Recreation Road & will further insulate these residents from the use, as at present a certain amount of work has to be carried on, outside.

Conclusion

The Applicant currently has a team of highly skilled motor engineers & bodywork guys. He wants to invest in new modern facilities on this site which enjoys an established use as B2. It will vastly improve the working environment & hope this will be supported by Reading Borough Council now the inspector has ruled the use is lawfully B2.

Chris Keen MRICS MCABE

