
Response to Garage Block Motion

Committee considering report:	Executive
Date of Committee:	14 March 2024
Portfolio Member:	Councillor Tony Vickers
Report Author:	Laura Callan
Forward Plan Ref:	EX4480

1 Purpose of the Report

- 1.1 This report provides a response to the Motion that was proposed to Council on 17 March 2022 by Cllr Tony Vickers detailing the following;
- 1.2 The Motion requested that Council noted;
- 1.3 (1) Standard size garages are too small for modern cars and therefore no longer count as parking spaces in new housing developments or in calculations on the need for Residents Parking Zones;
- 1.4 (2) The District has many older post-WWII housing developments which include significant areas of garage blocks that are no longer fit for their original purpose of providing secure parking for local residents' cars and are used – if at all – for general storage, while many homes have no street frontage and no parking spaces because these garage blocks were built for them;
- 1.5 (3) There is no 'use class' in planning law for residential parking;
- 1.6 (4) Car ownership is much greater now than when these estates were built and that many of them, in all parts of the District, have problems with on-street parking and access for emergency and other larger vehicles;
- 1.7 (5) Some garage blocks have been attracting anti-social behaviour, have no overall management structure and their appearance has a negative impact on the amenity of residents;
- 1.8 (6) Others have been bought up by local housing developers resulting in permanent loss of a potential parking area for residents and visitors.
- 1.9 The Council therefore calls for:
- 1.10 (1) Planning and transport policies to be discussed at the appropriate forums, aimed at achieving:-

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- (a) First call on future redevelopment of garage blocks to be for parking for local residents, as was their original purpose;
- (b) Dedicated Car Club spaces (and EV charging points) within any redeveloped garage blocks;
- (c) Spaces reserved on-street, where this proves impossible, for properties with no road frontage.

1.11 (2) Investigation into the ownership of these areas, including approach roads that are not public highways, with a view to pursuing compulsory purchase to bring some of them back into use primarily for parking; and

1.12 Furthermore, if current legislation does not allow such policies to be adopted locally through our emerging Local Plan and Transport Plans, the Council will lobby our MPs and the LGA to change the law so that it can happen.

2 Recommendation

2.1 It is recommended that the principle of the Motion is supported. The motion can be delivered through the case by case assessment of forthcoming planning applications to re-develop garage blocks through the application of existing and emerging Local Plan Policies and through Council led highway schemes as appropriate. The Council will lobby the MP's and the Local Government Association for a change to legislation where necessary to facilitate the requirements of the motion.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	The motion will not have direct financial impacts.
Human Resource:	The motion will not have direct Human Resource impacts.
Legal:	The motion will not have direct legal impacts.
Risk Management:	The motion will not create new risk or increase risks.
Property:	The motion will not result in direct impacts upon Council owned property.
Policy:	The proposal relates to both national planning policy, NPPF and Local Planning Policy Core Strategy Development Plan

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	Document (2006-2026), Local Plan DPD (2017), Saved Policies of the West Berkshire District Local Plan 1991-2006 (saved policies 2007) and the emerging Local Plan Review (currently at examination Reg 19 stage).			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		
Health Impact:		X		
ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:		X		
Core Business:		X		

Data Impact:		X		
Consultation and Engagement:	The matter was discussed at the Planning Advisory Group 21 April 2022.			

4 Executive Summary

- 4.1 A Motion was proposed to Council on 17th March 2022, proposing that a planning policy concerning the redevelopment of redundant garage blocks was necessary to bring such blocks back into use as parking, for car clubs or EV charging points and to secure on-street parking where necessary. The Motion also requested exploration of the use of compulsory purchase orders to facilitate such redevelopment.
- 4.2 Planning Policies must be created or amended based on district wide need and supported by robust evidence. The evidence is not available at this time to justify the introduction of specific planning policies to address this issue. The Local Plan Review is at a late stage of development and this issue cannot reasonably be introduced into the current process. Should redundant garage sites come forward for development through the planning application process, a number of the aims of the Motion can be addressed on a site-by-site basis, having regard to the particular circumstances of the site and existing and emerging planning policies concerning redevelopment of brownfield/previously developed land, parking, sustainable transport and EV charging.
- 4.3 With regard to part (2) of the proposal and the recommendation to pursue compulsory purchase orders, such orders should only be made where there is a compelling case in the public interest and used only as a last resort where it has not been possible to secure acquisition through an agreement with the landowner.
- 4.4 The Council can Lobby MP’s and Local Government Association for changes to legislation where necessary to facilitate the aims of this motion.
- 4.5 As such, it is considered that whilst the aims of making the best use of redundant garage blocks can be supported, this can be addressed on a site-by-site basis utilising existing and emerging planning policy or progressed separately by Town and Parish Councils through the Neighbourhood Planning Process where specific sites are identified and where it can be justified to do so.

5 Supporting Information

Introduction

- 5.1 Councillor Tony Vickers tabled a motion at Full Council on 17 March 2022 which called on West Berkshire Council to develop planning and transport policies that addressed the redevelopment of redundant garage blocks to bring such blocks back into use as parking, for car clubs or EV charging points and to secure on-street parking where necessary. The Motion also requested exploration of the use of compulsory purchase orders to facilitate such redevelopment.

5.2 The then Chairman informed the Council that under Procedural Rule 4.9.8 the motion would not be debated and instead be referred to Planning Advisory Group for consideration with a report to Executive. The outcome of that would be reported to Council.

Background

5.3 The Planning Advisory Group considered the matter at their meeting of Thursday 21 April 2022. Whilst there was a general agreement with the objective of the motion, concern was expressed that a district wide policy should not be created on the basis of individual sites or issues, but as a result of district wide need. It was suggested that there needed to be further evidence of the scale of the problem to establish the best approach. The Group were informed that it was too late to include the matter within the Local Plan Review. It was accepted that further evidence should be gathered by Cllr Vickers identifying the scale of the problem and this would then inform the most appropriate approach to address the issues raised.

5.4 It was acknowledged that should redundant garage sites come forward for development through the planning application process, a number of the aims of the proposed Motion can be addressed on a site-by-site basis, having regard to the particular circumstances of the site and area and existing and emerging planning policies that address the redevelopment of brownfield/previously developed land, parking, sustainable transport and EV charging.

5.5 To deliver part (2) of this proposal through a Council led scheme to investigate available garage blocks would require initiation and delivery of a project to establish full details of the issues and develop solutions/development options for each individual site identified. This would require significant officer resource and could not be addressed at this time utilising existing resources but may be considered at a future date.

5.6 With regard to the recommendation to pursue compulsory purchase orders, such orders should only be made where there is a compelling case in the public interest and used only as a last resort where it has not been possible to secure acquisition through an agreement with the landowner. Compulsory purchase is often therefore only appropriate where there are strategic benefits to the local area. The proposal to research and assemble land for the purposes identified would be unlikely to meet the threshold for utilising compulsory purchase as it would only have a very localised impact.

5.7 It is agreed that the Council will lobby the MP's and Local Government Association for a change to the legislation where necessary to facilitate the aims of the motion.

5.8 It is considered that whilst the aims of making the best use of redundant garage blocks is supported and this can be addressed on a site-by-site basis should planning applications come forward for development, having regard to existing and emerging planning and transport policy. It may also be a local matter that can be further addressed by Town and Parish Council's through the neighbourhood planning process.

Proposals

5.9 It is proposed that the principle of the Motion to make the best use of redundant garage blocks is supported. The aims of the motion can be addressed in part through the

planning process and local highway schemes, on a site-by-site basis should applications come forward for development. The Council will lobby the MP's and the Local Government Association for a change to legislation where necessary to facilitate the requirements of the motion.

6 Other options considered

- 6.1 The option of addressing specific sites through the neighbourhood planning process was considered and communicated to Cllr Vickers at Planning Advisory Group. Neighbourhood planning provides for locally specific issues to be more readily addressed and allows for the allocation of sites for redevelopment and specific neighbourhood plan policies where they are robustly justified. Neighbourhood Planning is supported by the Council but is instigated and led by Town and Parish Councils and residents/community groups. As such, where garage blocks are identified as a local issue, the matters could be investigated through the Neighbourhood Plan Process.

7 Conclusion

- 7.1 The overall objective of the Motion to make the best use of redundant garage blocks is supported. The aims of the motion can be addressed in part through the planning process and local highway schemes, on a site-by-site basis should applications come forward for development. Existing national, local and emerging planning policy encourages the efficient use of land and impact upon parking, sustainable transport options and the provision of EV charging can be given appropriate consideration through existing and emerging planning policy. There is also the option to consider the matter in more detail through the neighbourhood planning process where garage blocks are identified as a local issue. The Council will lobby the MP's and the Local Government Association for a change to legislation where necessary to facilitate the requirements of the motion.

8 Appendices

- 8.1 Appendix A – Equality Impact Assessment

Background Papers:

None

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval	<input checked="" type="checkbox"/>
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>
Delays in implementation could compromise the Council's position	<input type="checkbox"/>

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Considered or reviewed by Scrutiny Commission or associated Committees,
Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

Officer details:

Name: Laura Callan
Job Title: Planning Policy, Infrastructure and Place Manager
Tel No: 01635 519910
E-mail: laura.callan1@westberks.gov.uk

Appendix A

Equality Impact Assessment (EqIA) - Stage One

What is the proposed decision that you are asking the Executive to make:	To change planning policy concerning the redevelopment of redundant garage blocks to bring such blocks back into use as parking, for car clubs or EV charging points and to secure on-street parking where necessary. The Motion also requested exploration of the use of compulsory purchase orders to facilitate such redevelopment.
Summary of relevant legislation:	None directly related.
Does the proposed decision conflict with any of the Council's priorities for improvement? <ul style="list-style-type: none"> • Ensure our vulnerable children and adults achieve better outcomes • Support everyone to reach their full potential • Support businesses to start develop and thrive in West Berkshire • Develop local infrastructure including housing to support and grow the local economy Maintain a green district • Ensure sustainable services through innovation and partnerships 	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please indicate which priority and provide an explanation
Name of Budget Holder:	Laura Callan
Name of Service/Directorate:	Place, Development and Regulation
Name of assessor:	Laura Callan
Date of assessment:	05.03.2024
Version and release date (if applicable):	

Is this a ?		Is this policy, strategy, function or service ... ?	
Policy	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	New or proposed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Strategy	Yes <input type="checkbox"/> No <input type="checkbox"/>	Already exists and is being reviewed	Yes <input type="checkbox"/> No <input type="checkbox"/>
Function	Yes <input type="checkbox"/> No <input type="checkbox"/>	Is changing	Yes <input type="checkbox"/> No <input type="checkbox"/>

Service	Yes <input type="checkbox"/> No <input type="checkbox"/>
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(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To bring redundant parking/garage blocks back into use.
Objectives:	To maintain the current situation whereby redevelopment of garage blocks will proceed based on market demand or locally led schemes.
Outcomes:	Redevelopment of redundant garage blocks will continue to come forward on a site by site basis. Should planning applications come forward for development, these will be considered on their own merits, having regard to existing and emerging planning and transport policy. It may also be a local matter that can be further addressed by Town and Parish Council's through the neighbourhood planning process. The Council will Lobby Government for a change to the legislation where necessary to facilitate the aims of the motion.
Benefits:	This allows schemes to be demand led without the resource implications associated direct intervention by the Council.

(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?		
<i>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation)</i>		
Group Affected	What might be the effect?	Information to support this
Age	Neutral	To maintain the current situation of a demand led approach to redevelopment of garage blocks, would result in a neutral impact upon people with protected characteristics. There is no national planning policy approach or evidence of direct impacts of redundant garage blocks
Disability	Neutral	
Gender Reassignment	Neutral	
Marriage and Civil Partnership	Neutral	

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Pregnancy and Maternity	Neutral	upon people with protected characteristics. Should planning applications come forward, these would be considered on their merits and the impacts upon people with protected characteristics considered and address specifically on a site/project basis.
Race	Neutral	
Religion or Belief	Neutral	
Sex	Neutral	
Sexual Orientation	Neutral	
Further Comments:		

(3) Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please provide an explanation for your answer: The impact of this motion has been identified as neutral.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please provide an explanation for your answer: The impact of this motion has been identified as neutral.	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a EqlA 2.

If an EqlA 2 is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the EqlA guidance and template – <http://intranet/index.aspx?articleid=32255>.

(4) Identify next steps as appropriate:	
EqlA Stage 2 required	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Owner of EqlA Stage Two:	
Timescale for EqlA Stage Two:	

Name: Laura Callan

Date: 5.03.24

Please now forward this completed form to Pamela Voss, Equality and Diversity Officer (pamela.voss@westberks.gov.uk), for publication on the WBC website