



Appeal Decision

Site visit made on 31 October 2017

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 November 2017

Appeal Ref: APP/D1780/D/17/3182137
5 Crofton Close, Southampton SO17 1XB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr K Singh against the decision of Southampton City Council.
 - The application Ref 17/00709/FUL was refused by notice dated 26 June 2017.
 - The development proposed is described on the planning application form as 'conversion of garage into habitable accommodation (part retrospective)'.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. On the appeal form the Appellant has indicated that the appeal is against a refusal to remove or vary a condition. Planning permission is needed in this instance because of a condition removing permitted development rights to change the use of garages in the overall estate. However, the application concerned a specific development for which plans have been provided. I shall therefore treat the application as seeking planning permission for the development as sought by the Appellant, rather than as an attempt to modify the condition insofar as it relates to their plot. This is consistent with the Council's consideration of the application.

Main issue

3. The main issue in this appeal is whether appropriate provision has been made for off-road car parking.

Reasons

4. The appeal concerns a two storey detached dwelling located in an estate served by a single road that divides, forming two branches, which both end in cul-de-sacs. The properties are laid out in an informal style, with private drives giving shared access off Crofton Close. The drive that serves No. 5 also gives access to other properties and terminates in front of a gated access into a landscaped area. The application seeks permission for the use of the original garage as a bedroom. This is shown to currently be in use as a family room. The scheme also includes replacing the garage doors with windows and an additional car parking space, which has already been created.
 5. City of Southampton Local Plan Review (LPR) Policy SDP 5 and Core Strategy (CS) Development Plan Document, Policy CS 19 set maximum car parking
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standards. The Appellant has reproduced a table from the Council's Supplementary Planning Document, Parking Standards, September 2011. This shows that for dwellings with four or more bedrooms, as proposed in this case, the maximum provision is three spaces but that two spaces would be acceptable in areas of high accessibility. However, the Council indicates that the site is not in a very accessible location in terms of public transport and the Appellant has not sought to refute this or argue that a lower level of provision than three spaces would be acceptable. Based on the evidence before me and my observations of the locality I see no reason to take a different view.

6. Manual for Streets, paragraphs 8.3.51 and 8.3.52 indicate that the width needed to access perpendicular car parking spaces conveniently depends on the width of the bay. For a 2.4m wide bay at 90 degrees an aisle width of 6m is needed. It is then explained that the aisle width requirements can be reduced if the parking spaces are made wider and that swept path analysis can be used to assess the need for manoeuvring space. The Appellant includes a table from another Council showing space and aisle widths. However, I have not been provided with any text that might explain the contents of the table and their application.
7. The Appellant claims that the aisle widths and parking bay depths shown on a revised plan extract included in the grounds of appeal would comply with these principles and the specific advice of the other Council. However, because of the different positions of the spaces, the amended layout is materially different to that considered by the Council when deciding the application. Other parties have not had the opportunity to comment on this revised plan so that considering the appeal on this basis would prejudice their interests.
8. In any event, neither the original layout nor that subsequently provided are supported by a swept path analysis demonstrating how readily the space could be accessed in practice. In these circumstances, I am concerned that because of the relatively narrow width of the drive, manoeuvring into and out of the additional space, in either case, would be likely to be a fairly tortuous process. With a larger, modern family vehicle this may well be especially problematic.
9. There is a relatively short length of driveway beyond the extra space and this is especially limited in the amended layout. In consequence, I am concerned that in either case drivers would not be able to turn around even if they could get into the parking space. As a result, they would need to reverse along virtually the full length of the shared driveway into or out of the parking space. The private drive is fairly long, relatively narrow and there are nearby bollards.
10. These factors would seem to me to be particularly likely to deter drivers from undertaking such a manoeuvre. This would be the case even if the aisle and parking bay width meant manoeuvring into the additional space was reasonably convenient, which has not been shown and is itself open to significant doubt. In my judgement and on the basis of the evidence before me, it is therefore likely that rather than using the additional space motorists would park in the street in Crofton Close.
11. Moreover, given the nature of the layout and the fairly narrow estate road there is an unacceptable likelihood of the displaced vehicle being parked on the pavement. This could well result in pedestrians, including those with buggies and drivers of mobility scooters, being diverted into the road. There is also potential for obstruction to service and emergency vehicles and those driving to

and from home. Furthermore, it seems to me that additional on-street parking would result in a sense of visual clutter in the streetscene, detracting from the attractive open character. Even though the road may not satisfy current standards, it nevertheless provides the context for the development.

12. The Appellant suggests that the amount of parking in Crofton Close is particularly limited and I have considered the submitted photographs that show no on-street parking. However, there is some indication from local residents that this does occur and I also saw examples of this at the time of my site visit. While the Council's highways consultee is reported to have raised no objections, concerns were clearly raised about the difficulty of using the extra space. In any case, given the harmful effects that I have found, I am not persuaded that these factors would justify accepting the development.
13. Reference is made to the other two off-road car parking spaces at the appeal site and it is suggested that these have been widened. Nevertheless, there is no precise technical evidence, such as a swept path analysis, including on a pre-existing layout, to show any significant benefit has resulted.
14. It is indicated that the Appellant's family only own two cars. However, this may well not be the case with any future occupiers of the dwelling and this situation may also change as the Appellant's children grow up. It is indicated that the extra parking space was built using permitted development rights so that regardless of the decision on this appeal it would remain and not revert to soft landscaped garden. Nevertheless, even if this is the case, because of the difficulty in using it, the additional parking space comprises inadequate and inappropriate provision for off-road car parking, negatively affecting residential amenity and character and appearance.
15. The development at 1 Crofton Close did not involve the creation of an additional bedroom and did not therefore affect the parking requirement. That at 11 Crofton Close concerned the creation of a gym and can also be distinguished from the current development on the same basis. Generalised reference is also made by the Appellant to the enlargement of other driveways under permitted development rights but this does not alter my view regarding the detrimental effects I have found.
16. The adverse impact on residential amenity and character and appearance would be contrary to LPR Policy SDP 1 and CS Policy CS 13. The development would also be contrary to the core principle of the National Planning Policy Framework that planning should always seek to secure a good standard of amenity for existing occupants of buildings.
17. It is indicated that there is a need for the ground floor bedroom as the Appellant's elderly and infirm mother is unable to use the stairs. While personal circumstances are a material consideration in my experience they are seldom sufficient to justify a detrimental development. Moreover, in this instance there is no information from a relevant professional, such as a doctor, to corroborate and support the case being made. As a result, I take the view that this matter would not justify accepting the appeal, even subject to a condition making the permission temporary for the duration of the personal circumstances.
18. Although unacceptable anyway, in itself, for the reasons given, I share the concern of local residents with regard to precedent. Allowing the appeal may well result in significant future pressure from other occupants to carry out

similar development without making adequate car parking provision. This would result in further harmful effects.

19. I have considered all other matters raised, including appeal decisions at 5 Crofton Close and in the overall estate but these do not alter my view regarding the acceptability of the development. Given the harm that would result and consequent conflict with the development plan, it is determined that the appeal fails. In these circumstances, I am satisfied that rejecting the appeal is both proportionate and necessary.

M Evans

INSPECTOR