
Appeal Decision

Site visit made on 20 September 2016

by Andrew McCormack BSc (Hons) MRTPI

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

Decision date: 17th October 2016

Appeal Ref: APP/N4720/D/16/3155700

14 Garth Road, Leeds LS17 5BQ

- 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 Dylan Smith against the decision of Leeds City Council.
 - The application Ref 16/02808/FU, dated 4 May 2016, was refused by notice dated 13 June 2016.
 - The development proposed is conversion of attached garage to form habitable accommodation & works to existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effect of the proposed development on:
 - highway safety, with regard to the adequacy of parking provision; and
 - the character and appearance of the surrounding area.

Background and Reasons

3. The site is located within a residential area of predominantly semi-detached properties with sizeable front gardens and drives serving garages. A number of the properties on Garth Road have hard standing areas in their front gardens providing off-street parking. There is a street light column positioned adjacent to, and midway along, the front boundary wall of the appeal property. The appeal relates to the proposed conversion of an existing attached garage to create additional residential accommodation to form part of the host property resulting in the loss the garage and therefore one off-street parking space.

Parking and highway safety

4. The officer report refers to the off-street parking standard for a dwelling of the size of the host property as being two accessible spaces clear of the highway. The loss of the garage would reduce the capacity for off-street parking at the appeal property to one space on the existing driveway. As a result, the property would fall short of the standard.
 5. The reduction in off-street parking provision would inevitably lead to an increase in demand for on-street parking. I noted at the site visit that there was unrestricted on-street parking available on Garth Road. Furthermore, the
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appellant has provided evidence which indicates that a considerable amount of on-street parking is available in the evenings, when it would be reasonable to assume that demand may be higher.

6. Notwithstanding this, during the site visit I noted that there was a small number of cars parked on Garth Road which were, due to the relative narrowness of the highway, mounted on the public footpaths between the dropped kerbs serving private driveways. On two occasions during the visit, I saw that drivers had difficulty in having sufficient visibility to safely reverse out of the driveways of properties on to Garth Road. As a result, in my view, any increase in the amount of cars parked on the street would only exacerbate the associated highway safety risks and make such manoeuvrability more difficult.
7. I appreciate that the appellant has only one vehicle and therefore would only require one off-street space and that there are difficulties for the appellant in providing suitable alternative off-street parking. However, one space would not be sufficient to cater for vehicles belonging to visitors to the appeal property and nor would it meet the adopted parking standards.
8. I appreciate that the position of the street light column adjacent to the appeal site creates difficulty for the appellant and restricts their ability to replace the lost parking space with hard standing in the front garden, as has occurred elsewhere. Furthermore, I note the appellant's willingness to create such a space in their front garden and to make a financial contribution to relocate the street light column. Despite this, there is no evidence to indicate that the relocation of the light column is a possibility. The Council does not support such an approach for reasons of character and appearance which are dealt with below.
9. Having had regard to the above, I find that the proposed development would have a detrimental impact on parking provision at the appeal property and on highway safety in the surrounding area. It would fail to provide the two off-street spaces identified for such a property. Furthermore, the restrictions relating to the repositioning of the street light column and the existing narrow access to the property would result in the off-street parking provision being difficult to achieve without increasing demand for on-street parking which would be materially harmful in terms of highway safety.
10. Consequently, I conclude that the proposed development would be contrary to Policy T2 of the Leeds Core Strategy, Policy GP5 of the Unitary Development Plan Review 2006 and the advice and guidance provided in the Leeds Parking Supplementary Planning Document. Amongst other matters, these policies and guidance seek to ensure that development provides sufficient access and parking space and does not adversely affect highway safety.

Character and appearance

11. I understand that the potential widening of the access to the driveway of the appeal property and alterations to the front boundary wall would have some effect on the existing streetscene. However, I note from my site visit and in the evidence provided by the appellant, that several properties on Garth Road have widened driveways and gateways which provide off-street parking and these form a relatively common feature in the local streetscene. As a result, I find that the potential alterations to the appeal property to provide the off-

street parking would not introduce an incongruous feature into the local area and would not be materially detrimental to the streetscene.

12. Therefore, in this respect, I conclude that the proposed scheme would not be contrary to Policy GP5 of the Unitary Development Plan Review 2006 which, amongst other matters, seeks to ensure that development should resolve detailed planning considerations and seek to avoid environmental intrusion and loss of amenity.

Other Matter

13. The appellant has referred to several nearby properties where similar schemes to that proposed have been undertaken. Whilst I have had due regard to these properties and accept that there are some similarities between them and the appeal proposal, I do not have the details of each case before me. As such, I must only give limited weight to these other schemes in my decision making. In any event, I must assess the proposed development on its own merits and circumstances and have determined this appeal on that basis.

Conclusion

14. I understand the difficulty in replacing the loss of an off-street parking space with regard to the adjacent street light column and that this would prevent the proposed scheme from complying with the relevant policies and parking standards. Furthermore, I find that the proposal would not introduce an incongruous feature into the street scene. Accordingly, I have given these matters limited weight in my decision making.
15. Notwithstanding this, the proposal would result in the loss of one off-street parking space which, albeit modest, would increase the demand for on-street parking in the immediate area on Garth Road. In addition, if the appeal were allowed, the restrictions resulting from the position of the street light column in terms of the narrowness of the existing vehicle access to the property for potentially two off-street spaces in the front garden would have a materially adverse effect on highway safety. In my view, these effects would be so detrimental to highway safety that the material harm caused would outweigh the other considerations in favour of the scheme.
16. Therefore, for the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR