
Appeal Decision

Site visit made on 22 November 2016

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 9 December 2016

Appeal Ref: APP/X1355/D/16/3160332

1 Angus, Ouston DH2 1RU

- 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 Lewis Craggs of Durham City Builders Ltd against the decision of Durham County Council.
 - The application Ref DM/16/01851/FPA, dated 1 June 2016, was refused by notice dated 12 August 2016.
 - The development proposed is first floor side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for first floor side and rear extension at 1 Angus, Ouston, DH2 1RU in accordance with the terms of the application, Ref DM/16/01851/FPA, dated 1 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: DRG No. 001 A, DRG No. 005 A, DRG No. 006 A and DRG No. 007 A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The Council's Principal Highway Development Management Engineer (PHDME) has expressed concern as to the lawfulness of a porch built to the front of the dwelling. A porch and an associated canopy over the entrance to the garage are depicted on the various "Proposed Elevations" of the proposal, although they are not shown on the "Existing and Proposed Floor Plans". At my site visit, it was apparent that a porch and canopy have been constructed on the front elevation of the dwelling. Notwithstanding this, the description of the development that is the subject of this appeal refers to a "first floor side and rear extension" and I have determined the appeal on that basis. My determination of this appeal is therefore without prejudice to the lawfulness (or otherwise) of the porch and canopy as built.
 3. There is a discrepancy on plan ref 'DRG No. 004' which states that it relates to the existing "front elevation" of the property, when in fact it relates to the
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existing rear elevation. This discrepancy was readily apparent at my site visit and it has not therefore materially affected my reasoning on this appeal.

Main Issue

4. The main issue in this appeal is the effect of the proposal on highway safety with particular regard to the provision of off-road parking.

Reasons

5. The appeal site consists of a semi-detached dwelling with an attached garage. I saw at my site visit that the dwelling has a driveway suitable for the parking of one vehicle in front of the garage. Notwithstanding my previous comments in relation to a porch and canopy, the dimensions of the driveway would not be affected by the proposal. The garage would also be retained. The proposed extension would increase the number of bedrooms at the property from three to four bedrooms.
6. The Council Officer's report states that two off street car parking spaces should be provided in addition to the garage. I have been provided with the County Durham Parking and Accessibility Standards 2014 (CDPAS). A table attached to the CDPAS states that residential development consisting of a "4 bed with single garage" should have a minimum allocation of 1 in curtilage parking space per dwelling. On the assumption that this relates to a parking space to supplement a garage, the proposal would comply with the provisions of the CDPAS as both the existing garage and the parking space on the driveway would be retained.
7. I acknowledge that the CDPAS refers to the provision of further off curtilage parking. However, although the PHDME refers to the non-allocated element being rounded up to the provision of one extra space in curtilage, I am not persuaded that this is necessary for an extension of the type proposed. It may be that an increase from three to four bedrooms at the property would increase the number of occupants of the dwelling. However, it is not inherent that this would lead to an increase in the level of car ownership at the property or that the current provision of two spaces within the site would be inadequate.
8. Furthermore, no substantive evidence has been provided to me to demonstrate that there are existing on-street car parking problems in the area or that the proposal would create such issues to a degree that would justify the refusal of planning permission.
9. I also note that the PHDME stated in correspondence with the appellant that if there is not enough space within the curtilage of the property to accommodate an additional parking space then he would have no objection from the highway aspect. This indicates that an extra parking space is not an essential feature required to make the proposal acceptable in relation to highway safety.
10. I conclude that that proposal would provide suitable off road parking and would not be detrimental to highway safety. The proposal therefore complies with Policy H11 of the Chester Le Street District Local Plan 2003 which states that residential extensions should not impair highway safety or lead to inadequate car parking provision within the curtilage of the property.
11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed. In addition to the standard 3 year

time limitation for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans. A condition relating to materials is also necessary to ensure the satisfactory appearance of the extension.

David Cross

INSPECTOR