

Appeal Decision

Site visit made on 11 April 2017

by Martin H Seddon BSc DipTP MPhil MRTPI

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

Decision date: 27th April 2017

Appeal Ref: APP/Z3445/D/17/3168799

7 Garten Close, Belgrave, Tamworth, B77 2TR

- 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 J Wright against the decision of Tamworth Borough Council.
 - The application Ref: 0521/2016 was refused by notice dated 13 January 2017.
 - The development proposed is: garage conversion to play room.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The garage had been converted prior to the application to the Council. The main issue is the effect of the development on on-street parking provision and the free flow of traffic.

Reasons

3. No.7 Garten Close is a two storey, 4 bedroomed detached dwelling located at the entrance to a cul de sac on a modern housing estate. The garage which has been converted has been fitted with a bay style window at the front elevation. The Council advises that a condition was imposed on the original permission for the development that required the garage to be retained as a parking space unless otherwise approved by the local planning authority. Other dwellings in Garten Close have single or double garages.
4. The site had 2 parking spaces in a tandem arrangement fronting the garage to provide a total of 3 spaces. The appellant advises that the garage has never been used as a car parking space. This is due to the nature of the layout and inconvenience it causes of having to move 2 vehicles out the way to gain access to the garage. On-street parking provision is unrestricted and the appellant contends that loss of one space will not have a detrimental impact in terms of highway safety or for the free flow of traffic.
5. The appellant refers to guidance set out in the *Manual for Streets* which states that garages are not always used for car parking, and this can create additional demand for on-street parking. The *Manual* adds that research shows that, in some developments, less than half the garages are used for parking cars, and that many are used primarily as storage or have been converted to living accommodation. Although the appellant believes that the Council should have taken this guidance into account when approving the original development, the guidance does reinforce the prospect that additional demand for on-street parking can be a consequence of the failure to use garage space for parking.

6. Appendix C: *Parking Standards* of the Tamworth Borough Local Plan indicates that dwellings with 4 and more bedrooms should have 3 parking spaces per dwelling. The Council believes that the proposal would lead to additional on-street parking on already congested estate roads with limited possibilities for parking, without blocking driveways.
7. From my site inspection, it was clear that the estate is a relatively high density modern housing development and that the layout constrains the availability of appropriate space for on-street parking. The appellant has provided no evidence, such as parking surveys, to demonstrate that there would be no detrimental effect from the reduction in parking provision because of the garage conversion. Moreover, to allow this appeal could set a precedent whereby the Council could find it difficult to resist the conversion of other garages on the estate with a consequent cumulative increase in on-street parking, to the detriment of highway safety and the free flow of traffic.
8. The proposal would conflict with Borough Local Plan policy EN5 which expects, amongst other things, that new developments should pay particular regard to highway safety and servicing requirements, the capacity of the local road network and the adopted parking standards set out in Appendix C. It would also conflict with highway safety provisions in the National Planning Policy Framework.

Conclusion

9. I have taken all other matters raised into account. For the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR