



Appeal Decision

Site visit made on 21 November 2017

by Katie McDonald MSc MRTPI

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

Decision date: 30 November 2017

Appeal Ref: APP/B5480/D/17/3179208

6 Elms Close, Hornchurch RM11 1GN

- 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 Lucky Diamond against the decision of the Council of the London Borough of Havering.
 - The application Ref P0557.17, dated 4 April 2017, was refused by notice dated 30 May 2017.
 - The development proposed is a garage conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a garage conversion at 6 Elms Close, Hornchurch RM11 1GN in accordance with the terms of the application, Ref P0557.17, dated 4 April 2017, 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 approved plans numbered 2017-011C, 2017-012A and 2017-013A.
 - 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.
 - 4) The 'alternative second parking space' identified on drawing 2017-012A shall be implemented prior to commencement of the garage conversion and retained in perpetuity.

Main Issue

2. Whether the proposed development makes adequate provision for car parking, with particular regard to the effect of the development upon highway servicing and residential amenity.

Reasons

3. The property is a three storey end terraced dwelling located in an urban residential area. The proposal is for the conversion of the garage to a dining area and the creation of a parking space within the rear garden. The Council has no objections to the effect of the development upon the character and appearance of the area. I agree.

4. The site provides 2 off-street parking spaces, one on the drive and the other in the integral garage. The proposal would remove the integral garage space, but would create a parking space in the rear garden, thereby having no effect upon the provision of off-street car parking.
5. The road to the side of the dwelling is utilised to park cars on street. The new access point would remove the availability to park cars to the front of this space. However, its width would be around 2.7m and it would only remove the availability to park at most, one car. This would be a very modest removal of on-street parking, and given the amount of off-street and on-street parking in Elms Close, would amount to a very small percentage.
6. Notwithstanding my findings in relation to the provision of off-street car parking; the appellant has indicated that the integral garage is too small to allow a car to be parked inside, with one car being parked on the driveway and a second car being parked on the street. I have no reason to dispute this information. Therefore, the minor loss of on-street parking from the creation of the new access would be offset by the provision of two useable off-street spaces, having a neutral effect upon the provision of car parking.
7. I do not find there is sufficient evidence to corroborate the Highways Authority comments, nor do they seem to have fully considered the proposal, as they inaccurately detail that the scheme would provide only one car parking space.
8. Within the estate of Elms Close, there are only a couple of other plots that could carry out works similar to this. I note that the Council are concerned over the difficulty to resist further similar proposals, however, each proposal would be considered upon its own merits and the evidence available at the time.
9. Consequently, the proposal would be highly unlikely to have an adverse effect upon the functioning or servicing arrangements of the highway and it would not result in unacceptable overspill parking. There would also be no adverse effect upon residential amenity.

Conclusion

10. The proposed development would make adequate provision for car parking, complying with Policies DC36 and DC61 of the Core Strategy and Development Control Policies Development Plan Document (July 2008). These policies seek to provide adequate servicing arrangements and protect residential amenity.
11. I will attach a condition ensuring the development is carried out in accordance with the approved plans as this provides certainty. A condition relating to materials is needed to ensure that the appearance of the development is satisfactory. A condition requiring the implementation of the new parking space and its retention is also necessary to ensure acceptable parking provision.
12. For the reasons above, I conclude that the appeal should be allowed.

Katie McDonald

INSPECTOR