
Appeal Decision

Site visit made on 7 November 2017

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st February 2018

Appeal Ref: APP/V2825/W/17/3179259

24 Queen Eleanor Road, Northampton NN4 8NS

- 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 Geoff Porton against the decision of Northampton Borough Council.
 - The application Ref N/2017/0053, dated 19 January 2017, was refused by notice dated 1 March 2017.
 - The development proposed is described as 'Conversion of garage to one bedroom flat – Revised application follow refusal of N/2016/0053'.
-

Decision

1. The appeal is allowed and planning permission is granted for conversion of garage to one bedroom flat and off road parking to front at 24 Queen Eleanor Road, Northampton NN4 8NS in accordance with the terms of the application, Ref N/2017/0053, dated 1 March 2017, and the plan submitted with it, 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 plan: 12148-01 received 7 February 2017.
 - 3) The development hereby permitted shall not be brought into use until cycle and refuse storage facilities have been provided in accordance with details to be first submitted to and approved in writing by the local planning authority. The cycle and refuse storage facilities shall thereafter be retained for the life time of the development.
 - 4) The development hereby permitted shall not be brought into use until the parking spaces indicated on the approved plan have been provided. The parking spaces shall thereafter be retained for the existing and approved developments.

Procedural Matter

2. For the purpose of my Decision I have used the description of the development from the decision notice as this is more precise than that given in the application form.

Main Issue

3. The main issue is whether the proposed parking arrangements would compromise highway safety.

Reasons

4. The appeal mainly relates to an attached single storey garage to the side of 24 Queen Eleanor Road (No 24), a semi-detached dwelling that is occupied as a House in Multiple Occupancy (HMO). The garage at present is used for storage. The existing access to the garage comprises a dropped kerb and a gravelled area of hardstanding in front of it, accessed off Salcey Street.
5. In accordance with the Northamptonshire Parking Standards, the appellant is proposing to utilise the existing hardstanding area to provide two parking spaces for the proposed conversion of the garage to a one bedroom flat. This hardstanding area is wide enough to accommodate two vehicles but in terms of depth it ranges between 3.95m and 4.1m. This falls short of the 5.5m depth required to create a safe off-road parking space without obstructing the highway, based on the Highway Authority's Standing Advice.
6. However, whilst I accept that the parking area for the proposed flat is sub-standard the main parties do not dispute that it is already used for parking and according to the appellant it will continue to function in this way. I have nothing to dispute this. There is also evidence to suggest that the hardstanding area can accommodate smaller vehicles without obstructing the highway.
7. Therefore, I am not persuaded that the continued use of the hardstanding area for parking in association with the proposed use would materially affect highway safety or result in an intensification of the existing access, over and above its present use.
8. The appellant is also proposing to install two new parking spaces for the existing HMO on the front garden of No 24. The Council is concerned that these new parking spaces would be difficult to manoeuvre in and out of due to the proposed angle of access/egress and the narrow highway width associated with Salcey Street. However, the appellant's 'Highway Evidence' includes swept path analysis, which demonstrates that the proposed parking spaces would be useable without undertaking excessive or awkward manoeuvres.
9. I acknowledge that the proposal would result in additional vehicles using Salcey Street. However, the appellant's 'Highway Evidence' also includes road safety data information. Based on this I am satisfied that Salcey Street operates in a relatively safe manner in respect of highway safety and that for the above reason the access/egress arrangements for the new parking spaces would not compromise this.
10. Drawing on the above observations and based on the information before me, the HMO primarily relies on the existing vehicular access and up to two (albeit sub-standard) parking spaces. Although, these parking spaces would be utilised for the proposed one bedroom flat the appellant would provide a further two parking spaces with safe access/egress arrangements for the HMO. Consequently, the parking demand for the proposed development would be met and the current level of parking for the HMO would also be retained.

11. Furthermore, during my site visit I observed that there were a number of parking spaces available on Salcey Street and surrounding roads and in the absence of any cogent evidence to the contrary, I am satisfied that there would be sufficient capacity for safe on-street parking in the vicinity of the appeal site, if required.
12. For the above reasons, I conclude that the proposed parking arrangements would not compromise highway safety.
13. The Council acknowledges that there are no up to date development plan policies relating to highway safety. Accordingly, I have no reason to find conflict with the development plan.
14. I also find no conflict with Paragraph 32 of the National Planning Policy Framework (the Framework), which amongst other matters seeks to secure, safe and suitable access to developments.

Conditions

15. The Council has suggested 4 conditions. Where necessary and in the interests of precision, I have amended them to accord with the Planning Practice Guidance.
16. In addition to the standard time limit on the commencement of development, it is necessary to list the relevant plan in the interests of certainty.
17. A condition is also required for the approval of refuse and cycle storage facilities in the interests of the amenity of the area and sustainable transport. A condition is also necessary to ensure the satisfactory provision of parking spaces in the interests of highway safety.

Conclusion

18. For the reasons set out above, I allow this appeal.

M Aqbal

INSPECTOR