
Appeal Decision

Site visit made on 8 July 2019

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2019

Appeal Ref: APP/V2004/W/19/3228699

7 Galleon Court, Hull HU9 1QF

- 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 Karl Jacob against the decision of Kingston-upon-Hull City Council.
 - The application Ref 19/00013/FULL, dated 2 January 2019, was refused by notice dated 28 February 2019.
 - The development proposed is structural alteration works and change of use from integral garage to habitable room.
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Decision

1. The appeal is allowed and planning permission is granted for the structural alteration works and change of use from integral garage to habitable room at 7 Galleon Court, Hull HU9 1QF in accordance with the terms of the application, Ref 19/00013/FULL, dated 2 January 2019, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Gal.001 and Gal.002.

Procedural Matter

2. The development subject of this appeal has been partially undertaken as the garage has been converted to habitable accommodation therefore, I am considering this part of the appeal retrospectively. The alteration works proposed to the rear elevation have not been undertaken and I have determined the appeal on this basis.

Main Issues

3. The main issues are the effect of the development upon highway safety and the character and appearance of the area with particular regard to car parking.

Parking standards of the HLP states that developments should accord with the standards set out in its Appendix C. For 2-bedroom properties the standards advise that 2 spaces are expected. Policy 32 advises that parking standards are to be applied flexibly, and the policy sets down several criteria by which such an assessment is to be based on. This includes, amongst other points, the accessibility of the site, public transport provision and the mix of developments in the area.

6. In my view the appeal site is accessible as there are bus stops a short walk away providing convenient access to the city centre and elsewhere. The appellant suggests that the city centre is also within walking distance. Whilst this might not be feasible or convenient for everyone, I agree that there are parts of the city that would be accessible on foot along with a range of other facilities in the vicinity.
7. The use of the property's garage for residential accommodation has resulted in the loss of a potential parking space. An off-street parking space remains in front of the former garage and the appellant has provided photographic evidence of 2 cars parked here. The cars shown in the photo are both small cars and there does appear to be a small overhang beyond the driveway onto the kerb although the overhang shown does not impede vehicles from accessing the other dwellings and manoeuvring in Galleon Court. It is unlikely that two larger cars could be accommodated on the driveway and in such a scenario a car would need to be parked elsewhere.
8. The appellant advises that the garage has not historically been used for parking and the owners have consistently parked 2 vehicles on the driveway for many years. I accept that, had the garage remained, someone might have used it for parking in the future but given that garages are more often used for storage than parking I give this factor limited weight. Furthermore, the former garage fell below the standards set within Table C Sizes of Parking Spaces and Garages of the HLP. This document advises garages should have an internal width of 3 m. The appellant advises that the internal width was 2.5 m and I have no evidence to dispute this. At this width the walls of the garage would restrict the opening of car doors making the garage impractical for most cars. Therefore, in practice, a loss of off-street parking has not actually occurred.
9. Galleon Court is a narrow road and does not appear wide enough to accommodate parked vehicles on the street without hindering the movement of passing vehicles. That said, during my site visit I did not observe any parked vehicles in Galleon Court other than in allocated spaces or drives. I did, however, observe parking on the roundabout leading to Galleon Court confirming some of the limitations for on-street parking within this residential area. Nevertheless, it is possible for additional vehicles associated with the appeal site to park on-street in nearby streets away from Galleon Court such as Mariners Close and Maldon Drive without causing an obstruction.
10. At the time of the morning site visit there was limited on-street parking occurring in the wider residential estate and vehicles did not encroach onto the footways. Where there were parked vehicles, the carriageways were sufficiently wide to enable other vehicles to pass. Overall, the limited on-street parking was not causing an obstruction or having an adverse effect on the safety of other highway users. As such, although there does not appear to be space to

park on-street in Galleon Court due to its width, there are options available elsewhere.

11. Whilst there is parking on the roundabout serving Galleon Court, the level of on-street parking in the vicinity is not so high that there is any material harm to the character and appearance of the area. On-street parking is an expected feature in residential streets. There is no specific evidence that indiscriminate parking in Galleon Court takes place and the appellant has produced photographs taken at various times of the day, including in the late evening, which shows Galleon Court as being generally clear of on-street parking. Even if a small increase in on-street parking has resulted from the loss of the garage this does not cause significant harm to the existing character and appearance of the area.
12. I conclude that the development does not result in an adverse effect on highway safety or on the character and appearance of the area. Despite technical breaches of the parking standards set out in Appendix C of the HLP, the site-specific circumstances of this appeal mean that the scheme still complies with the overall amenity and design aims of policies 14 Design, 22 House extensions and alterations and 32 Parking standards of the HLP.
13. For the reasons given above, and having regard to all other matters raised, it is concluded that the appeal should be allowed. The Council has not requested that any planning conditions be imposed. The proposal is retrospective however the alterations to the rear have not been undertaken. I have therefore imposed a plans condition in the interests of certainty.

Robert Walker

INSPECTOR