



Appeal Decision

Site visit made on 12 August 2019

by S Hanson BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd August 2019

Appeal Ref: APP/L1765/D/19/3229343

2 Hyssop Close, Whiteley, Portsmouth PO15 7JS

- 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 Imran Akhter against the decision of Winchester City Council.
 - The application Ref 19/00390/HOU, dated 19 February 2019, was refused by notice dated 1 May 2019.
 - The development proposed is conversion of garage into open planned children play/sitting area – the garage is connected to my property just besides my dining room.
 - Proposed changes are: Take out the garage door, brick up and install a new window; replace the backdoor of garage to match other doors; cut the wall between dining room and garage to access the new space; erect stud walls inside the garage with proper insulation; raise the garage floor to meet with the rest of property and insulate and install mould membrane; put new ceiling with insulation; 4 double electric points; 2 lights on the ceiling; and electric Heater.
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Decision

1. The appeal is allowed and planning permission is granted for the proposed conversion of the existing garage to habitable living space at 2 Hyssop Close, Whiteley, Portsmouth PO15 7JS in accordance with the terms of the application, Ref 19/00390/HOU, dated 19 February 2019, 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: Sheet 1 - Location Plan 1:1250 and Proposed Block Plan 1:500; Sheet 2 - Existing Ground Floor Plan 1:50; Sheet 3 - Existing Elevations 1:100; Sheet 4 - Proposed Ground Floor Plan 1:50; Sheet 5 - Proposed Elevations 1:100; Sheet 6 - Section A-A 1:25;
 - 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 Matter

2. The description of development, as stated on the application form, is set out in the banner heading above. The Council, on the decision notice, has described the development as the proposed conversion of the existing garage to

habitable living space. The Council dealt with the development on this basis and, accordingly so have I.

Main Issue

3. The main issue is the effect of the development on highway safety with particular regard to the detriment and inconvenience of other highway users.

Reasons

4. 2 Hyssop Close is a three-bed semi-detached house within the settlement of Whiteley. Each property within the cul-de-sac has an allocated garage with a driveway to the front. The proposal would convert the existing single garage into ancillary habitable living space. Consequently, the proposal would cause the loss of one parking space, leaving a single space to the front of the garage. This would be the sole parking space allocated to this property.
5. Policy DM18 of the Winchester District Local Plan Part 2 (Development Management and Site Allocations) (2017) (LP Part 2), ensures, among other things, appropriate parking provision in accordance with the Council's relevant standards. These are set out in the Residential Parking Standards Supplementary Planning Document (2009) (SDP). In accordance with the adopted car parking standards, as outlined in Policy 1 of the SPD, a three-bedroom property would require two allocated parking spaces.
6. The removal of off-street car parking spaces can cause parking on the public highway to the detriment and inconvenience of other highway users. As noted during my visit (which took place outside normal working hours), some vehicles already park on the highway in Hyssop Close and there were examples of some on-street parking in the vicinity of the appeal site. Marjoram Road, which leads to Hyssop Close, is a lengthy no-through distributor road with no parking restrictions in place. This road displayed a few occurrences of on-street parking. However, it is clearly a road that could accommodate some overspill parking without creating a serious hazard to other highway users.
7. The Council's SPD cites the Manual for Streets (2007) which highlights how accommodating parked vehicles is a key function of many streets, especially in residential areas. The Manual for Streets advises providing car parking in residential developments at realistic, but not excessive levels, including parking on-street where appropriate. Policy 5 of the SPD outlines that the availability of on-street parking can be taken into account when considering the conversion of garages. Additionally, it informs that the particular characteristics of the site, its location and the nature of the proposal would be taken into account when considering parking provision.
8. The appeal site is sustainably located within an area that provides housing, employment, retail, entertainment and other services together with alternative choices of transport. In addition, adequate provision can be made elsewhere for on-street parking within proximity of the appeal site to accommodate the loss of the one on-site parking space. The use of one off-site parking space within the immediate area would not be to the detriment and inconvenience to other highway users to the extent that it would prejudice highway safety. Consequently, the proposed development is considered to comply with Policy DM18 of the LP Part 2 and guidance contained within the SPD.

Conclusion

9. For the reasons above, and having regard to all other matters raised, I conclude that the appeal should succeed.

S Hanson

INSPECTOR