



Appeal Decision

Site visit made on 2 September 2019

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th September 2019

Appeal Ref: APP/W1525/W/19/3223530

21 Glendale, South Woodham Ferrers, Chelmsford, Essex CM3 5TS

- 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 Russell Ryan against the decision of Chelmsford City Council.
 - The application Ref 18/01552/FUL, dated 31 August 2018, was refused by notice dated 15 December 2018.
 - The development proposed is described as 'the construction of two new two-bedroom dwellings'.
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Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this appeal is the adequacy of the parking arrangements proposed, with particular reference to highway safety and refuse collection.
3. The appeal site includes elements of the side and rear garden of 21 Glendale, a semi-detached property located in an edge of town suburban location at the end of a small mews of around ten properties. This mews is accessed from a 'hammer-head' turning area. The mews area is narrow with the carriageway shared with pedestrians due to an absence of pavements. The properties have off road parking areas including garages, but these tend to be small with a parking space in front, so it is unsurprising that parking apparently spills out into the mews and the wider cul-de-sac.
4. During my site visit, I observed several cars parked within the mews and throughout the wider Glendale cul-de-sac, some of which had mounted the pavement or were parked in the hammer-head. This was an indicator of a high demand for on-street parking that sometimes results in undesirable parking. My site visit was a snap shot in time undertaken when many of the residents of the mews and wider cul-de-sac are likely to be at work. As a consequence, the level of on-street parking could be much higher in the evenings or weekends, as suggested in the representations submitted by interested parties and supported by photographs.
5. Neither the Council nor the appellant has provided parking surveys to a recognised methodology demonstrating the availability of on-street parking and therefore whether there is parking stress. However, from what I have observed and read, particularly from interested parties, I find that there is likely to be

parking stress outside of normal working hours. The parking requirement for the proposal needs to be considered in this context.

6. With the foregoing in mind, Policy DC7 of The Core Strategy and Development Control Policies adopted 2008 with focussed review 2013 (CSDCP) states that all development is required to comply with the vehicle parking standards set out in Appendix C of the CSDCP. For dwelling houses the standard for rural and suburban locations is one space for one- or two-bedroom properties and two spaces for three-bedroom properties. The appeal scheme would include two parking spaces for the existing property and one for each of the new dwellings, which would both be two-bedroom properties. Thus, on the face of it, the proposal would adhere to the parking standard and thus Policy DC7.
7. However, the supporting text to Policy DC7 states that the standards will be applied flexibly. This is because to apply the standards too rigidly could result in on-street parking raising issues of pedestrian safety, obstructions and adverse living conditions. Supporting text is not policy and therefore this cannot undermine what Policy DC7 says, which is a requirement to comply with the parking standards in Appendix C. Thus, it is of more significance that Appendix C explains that there will be a spatial dimension to the application of the parking standards. In effect, greater levels of parking will be required in certain locations subject to local circumstances.
8. I have already found that the evidence before me indicates Glendale is subject to parking stress. In addition, the appeal site is not located within 400m of a bus stop, which is a comfortable walking distance. The railway station is around 1285m from the appeal site. It is therefore unlikely that car use amongst the residents of Glendale is unusually suppressed due to the proximity of public transport. In this respect, I have seen nothing to suggest the local levels of car ownership are low. Accordingly, given the existing parking stress and the unexceptional accessibility to facilities and public transport, the appeal site is a location where a parking requirement higher than the standard in Appendix C is justified in order to discourage undesirable on-street parking.
9. Thus, I favour the standard suggested by the Local Highway Authority, that the two new dwellings should have two parking spaces. This would be in accordance with the Essex Parking Standards, which are set to be required through Policy MP5 of the emerging Chelmsford Local Plan, if adopted. This document is at a reasonably advanced stage of preparation. In addition, the proposal is also at odds with the Council's Interim Residential Parking Guidance 2015, which also has a standard of two spaces per two-bedroom dwelling. Given the local parking stress, the failure of the proposal to adhere to the emerging and interim parking standards is a point of notable weight against it.
10. Thus, the proposal is short of two parking spaces. This is likely to result in an increased demand for on-street parking which would exacerbate the existing parking stress. Further on street parking, particularly in the mews, hammer-head or upon pavements, would provide an obstruction to pedestrians and motorists, hamper visibility and increase the likelihood of inconsiderate parking and necessitate the need for difficult manoeuvres to take place, such as reversing out of the mews. This would result in an unacceptable impact on highway safety even though vehicle speeds would be low.
11. In addition, on-street parking would also obstruct and thus hamper the ability of refuse vehicles to access the appeal site. This is apparently an ongoing

problem confirmed by the Council's refuse team and undisputed by the appellant with reference to substantive evidence. Thus, the proposal, due to the additional on-street parking that would occur, would not provide a safe and efficient layout contrary to Policy DC42 of the DPD.

12. I have carefully considered the approval of a residential scheme at 5-7 Baron Road referred to by the appellant. This permitted one parking space per dwelling. Nevertheless, unlike the appeal scheme this site is very close to a range of everyday facilities, which can be accessed via a short walk. There are also on-street parking controls in the form of double yellow lines and a large car park nearby. The parking environment is different and there is no evidence of on-street parking stress. Baron Road is not directly comparable to Glendale and therefore the approval of homes here does not justify the appeal scheme.
13. Even if the provision of two parking spaces for the two proposed dwellings would be adequate, there would be some significant limitations in the layout proposed. This is because one of the parking spaces for the existing dwelling would be directly in front of the bins and the electric vehicle charging point. The parking space for 21B would be in front of the communal alleyway. The layout would require high levels of co-ordination and co-operation between the future residents and their guests to ensure vehicles do not block the communal facilities and the central manoeuvring area. In the circumstances, it may well be a regular occurrence that residents and their visitors would find it more convenient to park on-street rather than in the marked bays. Thus, in conclusion, the proposal would not provide adequate parking, and this would prejudice highway safety and hamper refuse collection.

Other Matters

14. The appeal scheme would deliver several benefits as it would be a windfall development that would result in some limited support to the local economy through construction jobs and the circulation of funds. In addition, the proposal would make a more efficient use of land within the settlement boundary of the town and modestly boost housing supply. Nevertheless, the proposal would not provide adequate parking with harmful impacts flowing from this. In this instance, the modest benefits of the proposal would not outweigh the harm that would occur.
15. A planning obligation has been submitted by the appellant in an attempt to address the Council's third reason for refusal, which relates to the possible effect on the Blackwater Estuary Special Protection Area (SPA). Given my overall conclusion, it is unnecessary for me to consider this point further as the appeal has failed and therefore the proposal would have no effect on the SPA. Similarly, various concerns have been raised by interested parties including reservations regarding privacy and the impact on the character and appearance of the area. However, given my overall conclusion that the appeal should fail on the main issue it is unnecessary to address these matters further.

Conclusion

16. In conclusion, for the reasons given, the appeal should not succeed.

Graham Chamberlain
INSPECTOR