
Appeal Decision

Site visit made on 11 September 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st October 2019

Appeal Ref: APP/G5180/D/19/3232100

99 Erickson Gardens, Bromley BR2 9FZ

- 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 Firas Abou-Auda against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/00726/FULL6, dated 12 February 2019, was refused by notice dated 4 April 2019.
 - The development proposed is conversion of the garage into a habitable space with elevational change.
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Decision

1. The appeal is allowed. Planning permission is granted for the conversion of the garage into a habitable space with elevational change at 99 Erickson Gardens, Bromley BR2 9FZ in accordance with the terms of the application, Ref DC/19/00726/FULL6, dated 12 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; Current/Proposed Elevations – Plan Number 700 CPFE BR29FZ, Current/Proposed Floor Plans - Plan Number 702 CPFP BR29FZ
 - 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. I have used the simplified description of development from the decision notice rather than the very detailed description provided on the application form.

Main Issue

3. The main issue is the effect of the proposed development, involving the loss of a garage, on parking demand in the area surrounding the appeal site.

Reasons

4. The appeal property is a three-storey terrace house with an integral garage. The property is part of a modern housing development that comprises a wide

variety of property styles including houses and flats. Parking across the site is provided in a variety of forms including, driveways, parking bays, communal parking and integral garages. The appeal site has a single driveway that is unaffected by the proposed development.

5. The highway areas surrounding the appeal site are private. A residential parking permit is required to park on site. On my site visit I saw private parking enforcement notices that stated no parking was permitted either wholly or partially at anytime on the roadway, paved or landscaped areas. At the time of my site visit I was able to park in a visitor bay close to the appeal site. Many of the designated spaces were vacant and there were no vehicles parked on the roadway or footpaths.
6. The proposal would replace the existing garage door with a window. On my site visit I observed that the appellant uses the garage for storage and has installed a number of shelving units. In terms of the existing situation, the proposal would not result in the loss of a parking space, although it would remove the possibility of the garage being used for the parking of a vehicle in the future.
7. The appellant has commented that the existing garage is not used as a parking space because it is too small to accommodate a large family car. They have also submitted evidence that suggests at least 8 other properties with garages do not use them for parking a car. I observed that, due to its width, entering and exiting the garage in a large car would be extremely difficult and likely to deter use of the garage for parking. The dimensions submitted by the appellant relating to their own vehicle and garage size would support this. The garage dimensions submitted by the appellant are less than what the Council would normally require for a garage, as outlined in the London Borough of Bromley Interactive UDP Appendix II – Parking Standards.
8. I have considered the Council's argument that the grant of planning permission may set a precedent for other similar developments. Each application and appeal must be determined on its individual merits, and a concern of this nature does not justify withholding permission in this case. I have determined the appeal on the evidence before me and my observations on site at the time.
9. The proposed development would not lead to an unacceptable increase in the demand for on-street parking. It would not cause any unreasonable inconvenience to other road users or residents within the estate or on surrounding roads. Policy 30 of the London Borough of Bromley Local Plan (2019) outlines the levels of off-street parking the Council will normally require to be provided in new residential development. Whilst the proposed development would result in a 4-bedroom dwelling having one parking space, as opposed to a minimum of 1.5 (min) – 2 (max) as required by the Policy, for the reasons outlined above, I find that no harm would be caused.

Conditions

10. I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. I have also imposed a condition requiring that the materials to be used shall match those used in the existing building. This is in the interests of the appearance of the property.

Conclusion

11. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

A M Nilsson

INSPECTOR