



Appeal Decision

Site visit made on 11 September 2019

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 October 2019

Appeal Ref: APP/K0235/W/19/3225460

33 Kimbolton Road, Bedford, MK40 2PB

- 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 Finsbury Designs Ltd against the decision of Bedford Borough Council.
 - The application Ref 18/01114/FUL, dated 1 May 2018, was refused by notice dated 21 December 2018.
 - The development proposed is the demolition of existing property and new residential development to create five dwellings, including boundary treatment.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application, as originally submitted, was as described in the banner heading above. However, during the course of the application, the proposal was amended to reduce the number of new dwellings to four. Consequently, I have considered the proposal as being for a block of three new flats and one detached 1.5 storey dwelling.

Main Issues

3. The main issue is whether there is adequate vehicle parking and manoeuvring space available within the site to serve the proposed development.

Reasons

4. The appeal site currently comprises a vacant detached dwelling and its garden. Part of the garden has been sub-divided from the dwelling. The property is situated on Kimbolton Road, which is a busy classified highway leading to and from the town. The surrounding area is primarily residential, in terms of land-use, and contains properties that vary in terms of their age, scale and appearance. The site is also within the Bedford Conservation Area (CA).
5. The proposal is to demolish the existing dwelling and erect four new dwellings that would be contained in two new buildings. A building towards the front of the site would contain three flats (2 x 2 bedrooms and 1 x 3 bedrooms). In addition, a detached 4 bedroom 1.5 storey dwelling would be constructed towards the rear of the site. The 1.5 storey dwelling was previously granted planning permission at appeal on 17 July 2018 (APP/K0235/W/18/3192876).

6. It is a statutory requirement when considering applications for planning permission that decision makers have regard to the desirability of preserving or enhancing the character or appearance of conservation areas. Following amendments to the proposed design of the development, during the course of the application, the Council considers that the appeal proposal would preserve the character and appearance of the CA. I have no substantive reason to conclude otherwise. Therefore, there is no need to consider this matter further. Accordingly, the proposal would not conflict with Saved Policy BE30 of the adopted Bedford Local Plan 2002 (LP), which seeks to ensure (amongst other things) that applications for new development have regard to the built heritage of the Borough.
7. In addition, the Council's appeal statement states that the geometry of the access (including visibility) is, or can be made, acceptable. Again, I have no substantive reasons to disagree with that view. I also consider that the proposal makes adequate provision for on-site cycle storage. Consequently, the main issue for this appeal is whether sufficient vehicle parking and manoeuvring space is available within the site to cater for the proposed development.
8. The Council refers to its Supplementary Planning Guidance – Residential Car Parking (SPG), which states that 2 parking spaces for each 2/3 bedroom property should be provided and 3 spaces for a 4 bedroom dwelling, giving a requirement of 9 spaces. In addition, visitor spaces should also be provided. The Council's Highways Officer has stated that a further 2 spaces for visitors would be appropriate. The proposed site plan (reference: 17-091.02D) shows 7 spaces (including 1 disabled space).
9. Furthermore, the Council's SPG advises that when the access to a development is from a classified road, the parking layout will be required to enable vehicles to enter and leave the site in a forward gear. The Council considers that the appeal proposal does not make adequate provision for service and delivery vehicles (including emergency vehicles) to turn within the site.
10. In reaching my decision, I have given consideration to the location of the appeal site, which is in the urban area and is accessible by different modes of travel, including bus services that stop close to the site frontage and on the opposite side of Kimbolton Road. I have also taken into account the evidence submitted by the appellant, in particular the Highways Statement, prepared by the appellant's consultants. The evidence contains detailed information on trip rates, which show that the number of trips generated in connection with the appeal development would not be significantly different to the number of trips generated by the existing and permitted use of the site.
11. The appellant makes reference to the appeal site being located within 'Accessibility Zone 1' as defined in the SPG. In this zone, a reduction in the number of parking spaces required can be applied. However, having sought clarification on this matter from the Council, I am informed that this only applies to parking for non-residential uses. Nevertheless, I have treated the standards in the SPG as guidance only and there can be some flexibility in their application, depending on the location of the site and the nature of the development.
12. Notwithstanding the evidence contained in the Highways Statement, I consider that the demand for vehicle parking (if not the number of trips) is likely to

- increase (when compared to the existing and permitted use), because of the additional number of separate residential units on the site. I also consider that there is a significant likelihood of there being a greater demand for service vehicle deliveries, due to the increased number of separate households.
13. At my site visit, which took place during the early afternoon on a midweek day, I observed significant pressures for parking on Kimbolton Road and nearby streets. Few unrestricted spaces were available and I observed vehicles causing obstruction whilst seeking parking spaces and then manoeuvring into the limited number of available spaces. In my opinion, this reinforces the Council's view that on-site parking and manoeuvring space in accordance with the SPG, should be provided as part of any new development in this location.
14. With particular regard to manoeuvring, I have noted that the appellant has provided evidence, which shows that cars would be able to turn within the site. However, I consider that space for service vehicles would be restricted and given the limited space available within the nearby highways, there would be a significant likelihood of vehicles reversing either onto or from Kimbolton Road.
15. Paragraph 108 of the National Planning Policy Framework 2019 states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety. In my opinion, the increased likelihood of vehicles seeking to park and manoeuvre within the public highways would be likely to create a danger and cause inconvenience to other highway users. As such, the proposal would conflict with Saved Policy BE30 of the LP, which I consider to be the most relevant to this issue. This policy requires new development to have regard to parking and highway capacity.
16. In reaching my decision, I have considered the benefits of the proposal in terms of the preservation of the CA; the contribution that the proposal would make to the number of dwellings in the area, where the Council does not have a five year supply of deliverable housing land. However, in my opinion these benefits are outweighed by the harm that I have identified. Furthermore my decision does not preclude the principle of additional housing development on the site.

Conclusion

17. For the reasons given above, it is concluded that the appeal should be dismissed.

Ian McHugh

INSPECTOR