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## Appeal Decision

Site visit made on 24 September 2019

**by Stuart Willis BA Hons MSc PGCE MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 4 October 2019**

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**Appeal Ref: APP/C1625/D/19/3234154**

**4 Upfield Close, Paganhill, Stroud**

- 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 & Mrs S Harmer against the decision of Stroud District Council.
  - The application Ref S.19/0592/HHOLD, dated 15 March 2019, was refused by notice dated 10 May 2019.
  - The development proposed is a garage conversion.
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### Decision

1. The appeal is allowed, and planning permission is granted for a garage conversion at 4 Upfield Close, Paganhill, Stroud in accordance with the terms of the application, Ref S.19/0592/HHOLD, dated 15 March 2019, subject to the conditions set out below.
  - 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: Existing and Proposed Elevations and Floor Plans Drawing No: MMSH/002 and Location and Site Plans Drawing No: MMST/000, except in respect of '2 Parking Space' shown on Location and Site Plans Drawing No: MMST/000.
  - 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 Location and Site Plans Drawing No: MMST/000 shows '2 Parking Space' on the private road/footway to the front of the appeal property. As it has not been demonstrated that this land is within the appellant's control and it is located outside the appeal site, it would not be possible to secure its provision by planning condition. Therefore, I have considered the proposal on the basis of one parking space being provided.

### Main Issue

3. The main issue of the appeal is the effect of the proposal on highway safety, with particular regard to on street parking.

## **Reasons**

4. Car parking standards are set out in the appendices of the Stroud District Local Plan (LP). For dwelling houses, it states that 1.5 spaces per dwelling are required (average) and that 2 spaces per dwelling will be required where it can be demonstrated, through a supporting parking study, that a greater parking provision would assist in alleviating an existing, on-street parking problem. The National Planning Policy Framework (Framework) states that maximum parking standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network.
5. The driveway at the appeal site would be able to accommodate parking for one vehicle and at the time of my visit there was a vehicle parked in front of the adjacent garage. There has been no compelling evidence provided to indicate that parking on the driveway is currently prohibited or that it would create difficulties for emergency vehicle and utility access.
6. The appellant advises that the garage is currently used for domestic storage rather than for parking of a vehicle. At my visit I saw this to be the case. While that situation could change over time, it illustrates that the use of a garage for parking cannot be compelled. Moreover, there is no evidence that the use of the garage for parking is required by a condition of any planning permission.
7. The nearby street, outside of the private road, is not subject to any parking restrictions and on street parking already occurs. I appreciate that at different times of day there may be greater parking demand. However, there was on street parking space available during my visit.
8. Even if the proposal led to the need for additional on street parking of a vehicle displaced by the loss of the garage, should the need arise it would be possible for additional vehicles associated with the appeal site to park in relatively close proximity without causing an obstruction.
9. While the proposal would result in a single off-street parking space being provided, the parking standards refer to 1.5 spaces as an average per dwelling. The use of the term 'average' indicates that on occasions there will be a lower provision. There is no parking study or other detailed evidence before me to indicate that a greater provision would assist in alleviating an existing, on-street parking problem. Moreover, it has not been shown that on-street parking is currently leading to, or that this scheme would lead to, highway safety issues.
10. Consequently, in the absence of clear evidence to the contrary, I consider that the proposal would not result in a harmful effect on highway safety. It would accord with Policy ES3 of the LP where it seeks to prevent development that would result in a detrimental impact on highway safety.

## **Other Matters**

11. Issues relating to estate byelaws and regulations, including parking on the private road, are not within my jurisdiction. These would be a private matter between the parties involved.
12. I note comments regarding the level of car ownership when planning permission was granted at 6 Upfield Close. Notwithstanding this, I am not

aware of any planning restrictions on residents' car ownership. Therefore, this could alter whether the garage was converted or not.

13. Concern over the loss of cycle storage space has been raised. However, there is no firm evidence that any existing cycle storage within the garage is subject to planning conditions requiring their retention.
14. Upfield House is a listed building. Its significance lies, in part, in its grand appearance and spacious verdant grounds. The external materials would match those of the existing building and parking already takes place within sight of the building and the surrounding landscape. As such, I find that the proposal would preserve the setting of the listed building and the character and appearance of the area.

### **Conditions**

15. I have considered the conditions put forward by the Council against the requirements of the national Planning Practice Guidance and the Framework. Where necessary and in the interests of clarity and precision, I have altered the conditions to better reflect the relevant guidance.
16. In addition to the standard time limit condition, 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. To protect the character and appearance of the area, a condition is imposed requiring the external materials to match that of the existing dwelling.

### **Conclusion**

17. I conclude that the appeal should be allowed subject to the conditions above.

*Stuart Willis*

INSPECTOR