



Appeal Decision

Site visit made on 28 January 2020

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 17th February 2020

Appeal Ref: APP/F2605/W/19/3240722

Key House, 79 Norwich Road, Watton, Thetford, Norfolk IP25 6DH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Adrian Johnson against the decision of Breckland District Council.
 - The application Ref 3PL/2019/0131/F, dated 8 January 2019, was approved on 16 May 2019 and planning permission was granted subject to conditions.
 - The development permitted is change of use of first floor from B & B/holiday lets to two residential units and alterations to existing ground floor flats with single storey kitchen extension.
 - The condition in dispute is No 4 which states that: Prior to the first occupation of the development hereby permitted the proposed parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use. Parking shall be strictly be in accordance with the Drawing received 18 April 2019 and bollards to the rear of the highway boundary shall be erected to prevent parking in front of Key House.
 - The reason given for the condition is: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether condition 4 of planning consent reference 3PL/2019/0131/F is necessary or reasonable in all other respects.

Reasons

3. Planning permission for the change of use of first floor from B & B/holiday lets to two residential units and alterations to existing ground floor flats with single storey kitchen extension was granted subject to a number of conditions including condition 4 which requires the parking area to be laid out as shown in the drawings and prevents parking in front of Key House.
4. The parking of vehicles at the front of Key House would require vehicles to enter the parking area via the dropped kerb which extends across the access only. There is no certainty given the proximity of the proposed spaces to the road that vehicles would not reverse onto the highway. Therefore, given that the road is busy for substantial parts of the day, there would be a significant risk of collisions and an unacceptable impact on highway safety. While vehicles may be able to park in front of Key House by turning in the area to the rear, they would have to reverse into the access running alongside the building in order to exit the site in a forward motion. The visibility from

the front of Key House to the side of the building is very restricted such that the risk of collision with a vehicle exiting the site from the access would be high, resulting in an unacceptable impact on highway safety.

5. The appellant's alternative scheme to introduce four parking spaces at the front of Key House would require vehicles to be parked in tandem and parallel to the highway. While I acknowledge that there may be some more space in front of the approved extension than currently exists, and that the spaces would be slightly greater than the minimum required for parking spaces, the distance between Key House and the back of the pavement would still appear restricted such that vehicles would be unlikely to park in the proposed arrangement. Moreover, cars would still be required to reverse around the corner of Key House with restricted visibility such that even if I were to have regard to the alternative proposal, it would not overcome the unacceptable impact on highway safety.
6. I note the evidence regarding tenancy contracts and that residents may become familiar with the site. I also acknowledge the photographs and video stills provided by the appellant. However, these indicate relatively small vehicles and in my view it would be unlikely that future occupiers would park in such an arrangement in practice, particularly given that the vehicles would be likely to be owned by occupiers of different flats within Key House and the spaces would be adjacent to the building on one side and bollards on the other.
7. I note the evidence regarding vehicles entering Norwich Road from the access at 90 degrees. While vehicles parked in front of Key House may restrict visibility of oncoming pedestrians and cars to some extent, from the evidence before me and given that the nearest fixed structure that would obstruct visibility is some distance away, this particular point would be unlikely to result in an unacceptable impact on highway safety. The appellant has requested that two spaces in front of Key House be considered. However, given the risk of collisions that would result from vehicles reversing around the corner of Key House, even if I were to consider two parking spaces in front of the building, it would still result in an unacceptable impact on highway safety.
8. I note the effects of restricting parking in front of Key House as put forward by the appellant, including health and safety risks and environmental impacts. However, there is little substantive evidence before me to demonstrate these points. In any event, even if these adverse impacts were substantiated, given the unacceptable impact on highway safety that would result from parking in front of Key House as discussed above, these points would not override the harm identified.
9. Consequently, condition 4 of planning consent reference 3PL/2019/0131/F is necessary and reasonable in all other respects. Therefore, it would not conflict with paragraph 55 of the National Planning Policy Framework.

Other Matters

10. I note the planning history of the site and that vehicles may have parked in front of Key House in the past. I also note local concerns regarding parking provision. However, this has not altered my overall decision.

Conclusion

11. For the reasons given above the appeal is dismissed.

R Sabu INSPECTOR