
Appeal Decision

Site visit made on 18 February 2020

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

an Inspector appointed by the Secretary of State

Decision date: 2nd March 2020

Appeal Ref: APP/W1525/D/19/3240778

30 Well Lane, Galleywood, Chelmsford CM2 8QY

- 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 Phillips against the decision of Chelmsford City Council.
 - The application Ref 19/01365/FUL, dated 5 August 2019, was refused by notice dated 11 October 2019.
 - The development proposed is alterations and conversion of existing garage to provide living accommodation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. While I note the description of development in the decision notice and appeal form, I have used the description from the application form in the header above in the interests of certainty.

Main Issues

3. The main issue is whether the proposed development would provide adequate parking provision and its effect on highway safety.

Reasons

4. The proposal would involve the existing garage being converted to a residential dwelling. While I note that the garage is currently being used for storage, the proposal would nevertheless result in the loss of two parking spaces. There is some hardstanding in front of the existing garage. However, it is of a limited depth such that vehicles would not be able to park in this area perpendicular to the road. While one vehicle may fit onto the hardstanding area parallel to the highway, given that the site is close to the junction of Well Lane with Grey Ladys, there is insufficient visibility around the corner of the junction such that the proposal would result in an increased risk of collisions. Furthermore, a vehicle parked parallel to the road would result in encroachment of the footpath to enter and exit the space. Therefore, the proposal would result in an increased risk of collisions with pedestrians and vehicles and an unacceptable impact on highway safety.
5. While there is some space adjacent to the host dwelling, there is no crossover to access this area and, in any event, this space is on the bend of the road such that there would be insufficient visibility of oncoming vehicles and parking

in this area would result in an unacceptable impact on highway safety. Therefore, this area does not form an alternative location for off-road parking.

6. Given the absence of alternative off-road parking spaces within the appeal site, the proposal would be likely to result in the future occupiers of the proposed development parking on the street in front of the proposal. Given the proximity of the site to the junction of Well Lane and Grey Ladys, parking in this location would be likely to increase the risk of collisions thus having an unacceptable effect on highway safety.
7. Consequently, the proposed development would not provide adequate parking provision and would have an unacceptable impact on highway safety. Therefore, it would conflict with Policy DC7 of Core Strategy and Development Control Policies Development Plan Document 2001-2021 Adopted February 2008 which seeks compliance with the vehicle parking standards set out at Appendix C that requires one space for one or two bedroom properties. It would also conflict with paragraph 109 of the National Planning Policy Framework.

Other Matters

8. I note the concerns regarding the proposal setting a precedent for future development. However, each proposal must be determined on its individual merits and this point has not altered my overall decision.

Conclusion

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

R Sabu

INSPECTOR