
Appeal Decision

Site visit made on 30 June 2020

by Matthew Birkinshaw BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 July 2020

Appeal Ref: APP/X1355/D/20/3244833

1 Auton Field Terrace, Bearpark, Durham, DH7 7AS

- 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 Miss M Hawronskyj against the decision of Durham County Council.
 - The application Ref DM/19/03401/FPA, dated 24 October 2019, was refused by notice dated 5 December 2019.
 - The development proposed is a two storey pitched roof side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the proposal would provide adequate off-street car parking space, having particular regard to the effect of additional on-street parking on highway safety.

Reasons

3. The appeal relates to an end-terrace house which currently benefits from a driveway and a garage. The proposed 2-storey side extension would be erected over part of the driveway, limiting the space available for parking vehicles. As a result of the appeal scheme the property would have 1 car parking space on the driveway, in addition to the existing garage.
 4. Recommendations for the provision of car parking are contained within the *County Durham Parking and Accessibility Standards*. The guidance states that extensions which result in the creation of a 4-bedroom house should provide a minimum of 2 spaces. The purpose of the guidance is to ensure that there is sufficient space to store vehicles without causing obstructions from parking on the street and/or the pavement.
 5. The appellant states that the proposal would provide the required 2 car parking spaces on the remainder of the driveway and in the existing garage. However, the Council's guidance is clear that garages can only be considered where they meet the minimum dimensions of 3m by 6m. This is to ensure that they are large enough to be used for storing vehicles. In this case, the submitted drawings indicate that the existing garage only measures roughly 2.4m by 4.7m. It is therefore considerably smaller than the recommended minimum size of a garage, and for the purposes of the Council's guidance, does not represent a usable off-street parking space.
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6. Allowing the appeal and building over the driveway would therefore be likely to result in additional car parking outside the property on Auton Field Terrace, which is a narrow, single-width road providing access to the neighbouring houses. Whilst I appreciate that some residents already park on the road, and part of it is owned by the appellant, allowing additional on-street parking around the junction with Institute Terrace would create an obstruction for emergency and service vehicles. This would lead to hazardous conflicts between pedestrians, cyclists and motor vehicles to the detriment of highway safety.
7. The submitted plans show the existing property as a 2-bedroom house with a study. The appellant states that it would be extended to provide 3-bedrooms and a study. Based on the Council's guidance a 3-bedroom property only requires 1 off-street parking space. However, there is nothing to suggest that the study could not be quickly and easily converted into an additional bedroom at a later date. I have therefore not given this argument any significant weight in reaching my decision.
8. The appellant also points to the use of another garage nearby. But the garage is only rented. As the Council points out, the existing arrangements could cease and there is no guarantee that potential future occupants would have access to the same arrangements.
9. I have also taken into account comments that the appellant would have to demolish the existing garage in order to satisfy the Council's requirements for 2 off-street car parking spaces. But no further details have been provided to demonstrate that the appeal scheme is the only option available, or, that it would be preferable when compared to any alternative parking arrangements.
10. I therefore conclude that the proposal would fail to provide adequate off-street car parking provision giving rise to unacceptable conflicts between pedestrians, cyclists and motor vehicles, to the detriment of highway safety. As a result, it is contrary to Policy Q2 of the *City of Durham Local Plan* which states that the design and layout of all new development should take into account the requirements of users and, amongst other things, include measures to minimise conflict between pedestrians, cyclists and motor vehicles. It is also contrary to the requirements of the National Planning Policy Framework which states that development should be refused on highways grounds if there would be an unacceptable impact on highway safety. Of the policies referred to by the Council, these are the most relevant.

Other Matters

11. In refusing planning permission the Council has also raised concerns regarding the effect of additional on-street parking on the living conditions of neighbouring residents. Although increasing the likelihood of parking around the junction between Auton Field Terrace and Institute Terrace would lead to hazardous obstructions, no persuasive evidence has been presented to demonstrate that this would be harmful to the living conditions of local residents.

Conclusion

12. The proposal would not harm the living conditions of neighbouring residents. However, it would lead to additional on-street car parking to the detriment of highway safety. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Matthew Birkinshaw

INSPECTOR