



Appeal Decision

Site visit made on 1 September 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2020

Appeal Ref: APP/K0235/W/20/3253725

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 Mr Ben Whetstone of Finsbury Designs Ltd against the decision of Bedford Borough Council.
 - The application Ref 19/02393/FUL, dated 29 October 2019, was refused by notice dated 27 March 2020.
 - The development proposed is demolition of existing dwelling and new residential development to create four dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. Following the refusal, the appellant has produced an updated Transport Statement (dated May 2020). I have paid regard to the document in consideration of the appeal and I note that the Council have commented on its contents. I am satisfied that no interested parties have been prejudiced by my approach.

Main Issue

4. The main issue is the effect of the proposed development upon the safe and efficient operation of the highway network and highway safety.

Reasons

5. The appeal site comprises a vacant detached dwelling and its garden. The property is situated on Kimbolton Road, a busy classified road leading to and from the town centre. The area is predominantly residential and contains properties that vary in terms of age, scale and design. The site is located within the Bedford Conservation Area.

6. I have been made aware of the planning history for this site which includes several planning permissions that have been granted by the Council and previous appeals. An appeal¹ for a building at the front of the site accommodating 3 flats and a detached dwelling towards the rear of the site was dismissed in October 2019. A similar dwelling towards the rear of the site was previously granted planning permission at appeal² in 2018.
7. The Council's Supplementary Planning Guidance – Residential Car Parking (SPG) sets out a minimum requirement for 11 spaces for residents and visitors. The development proposes 7 spaces therefore it is deficient of parking spaces.
8. I have considered the appellant's Parking Stress Survey covering two nights, using a recognised methodology. Parking in Oaklands Road is restricted to permit holders or for pay and display limited to 4 hours. Visitors may well use this road, but it is unlikely that Oaklands Road would be attractive for residents due to the time restriction and as future occupants would not be able to apply for parking permits.
9. The survey, over both nights, indicates parking usage of between 80% - 100% on Kimbolton Road and St. Michaels Road close to the site. Whilst the survey indicates lower usage in Kimbolton Avenue given its distance from the site residents would be less likely to park along this road. I acknowledge that surveys cannot predict with absolute certainty the availability of parking spaces in the area. Nonetheless the survey indicates high concentrations of parking overnight amounting to parking stress.
10. Notwithstanding local car ownership levels provided by the appellant, at the time of my visit on a weekday morning, I observed significant pressure for parking on Kimbolton Road. On surrounding roads including St Michaels Road and Kimbolton Avenue I also observed pressure for on street spaces. Parking demand on Oaklands Road was less obvious due to existing parking restrictions. Whilst I acknowledge that this is a snapshot in time, based on my observations and the evidence before me, it is evident that the availability of on street parking is at a premium in the area both during the day and at night.
11. The site is located within an urban area and is accessible by different means of transport including by foot and public transport in the form of a bus service in front of the property. I acknowledge that Manual for Streets and the standards in the SPG are guidance and that there can be a degree of flexibility in their application depending on the location of the site and the development proposed. However, in my judgement, the demand for vehicle parking is likely to increase due to the additional number of individual residential units proposed. Based on the evidence the number of car parking spaces proposed would not be adequate to serve the development.
12. The lack of available on-site parking and the increased likelihood of vehicles seeking to park and manoeuvre along the public highway, in an area where demand for on street parking is already very high, would have a significant adverse effect on the safe and efficient operation of the highway network.
13. Notwithstanding the swept path diagram the shortfall in parking spaces in combination with the demand for spaces throughout the day and night is likely to result in indiscriminate and inconsiderate parking taking place in the

¹ APP/K0235/W/19/3225460

² APP/K0235/W/18/3192876

circulation areas making manoeuvring within the site difficult. Furthermore, the number of individual units is likely to increase the frequency of delivery vehicles.

14. This would lead to vehicles being unable to manoeuvre within the site and reversing onto the highway where visibility is restricted due to parked cars and the bus stop. This would increase the likelihood for collisions with oncoming vehicles which would have an unacceptable impact upon highway safety. Whilst surface markings, signage and occupancy conditions have been suggested I find that they would not be effective in ensuring that parking takes place in designated spaces only.
15. I conclude that the proposed development would adversely affect the safe and efficient operation of the highway and would harm highway safety. Consequently, it would be contrary to Policy 31 of the Bedford Local Plan (2020) which, amongst other things, sets out that development proposals should not have any significant adverse impact on access to the public highway including consideration of highway capacity, parking provision and safety.

Planning Balance

16. The appellant contends that the Council cannot demonstrate a deliverable five-year supply of housing land. However, there is no substantive evidence before me to support this.
17. The proposed development would be sympathetic to the area, it would make a modest contribution towards local housing need including specialist housing in an accessible location and would be an efficient use of land. These are factors in the schemes favour.
18. It would also provide satisfactory living conditions for future occupiers and would not unduly harm the living conditions of nearby occupiers. These are neutral factors in the balance.
19. On the other hand, I have found that the proposal would have a significant adverse effect on the safe and efficient operation of the highway and highway safety.
20. Therefore, even if the Council was unable to demonstrate a deliverable five-year supply of housing land, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits. The presumption in favour of sustainable development therefore does not apply in this instance and I have no reason to make a decision other than in accordance with the development plan.

Conclusion

21. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR