



Appeal Decision

Site Visit made on 12 January 2021

by Rachel Walmsley MSc, MA, BSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2021

Appeal Ref: APP/D1835/W/20/3261239

24 Sebright Avenue, Worcester WR5 2HH

- 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 Messrs Forrester & Chadwick against the decision of the Worcester City Council.
 - The application Ref 20/00144/FUL, dated 20 February 2020, was refused by notice dated 17 July 2020.
 - The development proposed is conversion of existing outbuilding to 1 no. two bed dwelling.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The description of development on the planning application form didn't accurately describe the development proposed. Parties have agreed to a more accurate description which I have included in the banner heading above, taken from the decision notice.

Main Issue

3. This is the effect of the proposal on highway safety.

Reasons

4. Vehicles are parked on both sides of Sebright Avenue with vehicles on one side of the road mounting the pavement to allow vehicles to pass. Pedestrian movement along one side of the street is therefore restricted. Furthermore, double yellow lines at either end of the street restrict the space available for parking; it was apparent from my site visit that there is a competition for spaces as a result.
5. Notwithstanding the changes made to the parking arrangements on site, the proposed parking would be severely restricted. The parking spaces for the existing dwelling would have little room for a driver to open the car door and enter the vehicle from the side of the property. The driveway is narrow and with no turning space, drivers would need to enter or exit in a reverse gear. That manoeuvre would be close to parked vehicles which would restrict the visibility of oncoming road users.
6. In addition, the wall of the house would hinder the free movement of vehicles on and off the drive and the tandem parking layout demands an awkward

- juggling of vehicles. All in all, it is highly likely that drivers would choose to park more conveniently, on-street.
7. From what I saw on my site visit, Sebright Avenue is subject to parking pressures. Without detailed survey information to indicate otherwise, my findings suggest that the proposed development would add notably to this pressure, increasing the competition for parking. In turn, the appeal proposal would lead to an increased inconvenience to road users and unsafe highway conditions on Sebright Avenue which is a busy one-way street. The proposed cycle storage facilities would not overcome my concerns.
 8. The appeal site is within a reasonable walking distance of local shops and services and I understand the appellant's argument that with the welcome pack proposed, occupiers of the new dwelling would not have to rely on the use of private vehicles. However, I have no evidence of the welcome pack, what incentives it includes and details on how it would be implemented or enforced. There is also no guarantee that future occupiers of the proposed development will not have access to one or more vehicles in the future.
 9. I am aware that the established use of the building identified for development is light industrial. This fallback is a material consideration. There is nothing before me to indicate that the appellant intends to change the use of the premises via permitted development. Instead, the appellant has indicated that, if the appeal was dismissed, the premises could be occupied for commercial purposes with up to five vans occupying the site. I have no details of the business, its operations and the vehicles needed to support it. In the absence of this I note that the outbuildings are modest in size and could not support a business of any great size. Together with the physical constraints of the site and in the absence of evidence to suggest otherwise, five vans appears untenable.
 10. In comparison, there is a real possibility that occupiers of a two-bed dwelling would have a minimum of two vehicles and so the site overall would generate at least four vehicles. With no enforceable restrictions proposed to curb the number of vehicles associated with each dwelling, four or more vehicles is likely. Therefore, compared with the business use and in light of my findings with regards to this, the proposed development would have a greater impact on the competition for parking and in turn, would have a more harmful effect on highway safety.
 11. And so, the existence of the fallback position is an important material consideration but for the reasons given, the differences between the proposed scheme and an established use are sufficient for me to reach a different conclusion on highway safety. The fallback, therefore, has not greatly influenced or fettered my reasoning on the appeal proposal.
 12. I note that the Council approved a development at No 2 Sebright Avenue. However, parking was provided and so it was not car-free. The other case before me, off Henwick Road, was allowed in a different policy context to the appeal proposal and in an area with parking restrictions. And so, the case studies before me cannot be compared favourably with the appeal proposal to weigh in favour of my decision.
 13. All in all, I find that the proposed development would be harmful to highway safety and therefore would be contrary to policies SWDP4 and SWDP21 of the

Local Plan (2016) which seek development that can be accommodated safely by the existing road network.

Other matters

14. Whilst the proposal would increase housing supply in a location where the need to use a motor vehicle is reduced, it would involve only one unit of accommodation. Similarly, given the size of the premises, any positive local economic and social benefits would be small. These matters attract limited weight. The environmental benefit of converting the outbuildings to a use that would be more compatible with the residential area carries moderate weight.

Conclusion

15. The proposed development would conflict with the development plan. None of the other matters raised outweighs this conflict and the harm identified. I have taken account of all other matters raised, but none changes this conclusion. The appeal is therefore dismissed.

R Walmsley

INSPECTOR