
Appeal Decision

Site visit made on 5 July 2021

by John Wilde CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 16 July 2021

Appeal Ref: APP/Y3940/W/20/3262232

The Old Mill, Ashton Street, Trowbridge BA14 7ER

- 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 Anthony Godwin against the decision of Wiltshire Council.
 - The application Ref 19/01142/FUL, dated 1 February 2019, was refused by notice dated 10 August 2020.
 - The development proposed is an extension to contain 3 No one bedroom dwellings.
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Decision

1. The appeal is dismissed.

Procedural matter and main issues

2. Whilst the Council's reason for refusal was essentially based on highway and parking issues, in their statement of case at paragraph 1.26 they refer to displacement conflicts, external amenity space and minimum standards. Furthermore, the Trowbridge Town Council's representations refer to a cramped siting and levels of amenity for future occupiers. These matters are therefore before me and it is incumbent on me to address them. It follows that the main issues in this appeal are whether or not the proposed development would provide:-
 - a) satisfactory living conditions for future residents that would equate to good design and sustainable development, and
 - b) adequate parking for existing and future residents.

Reasons

3. The appeal site comprises a terraced building (the Old Mill) and an irregular shaped hardstanding, which at the time of my visit served as both a car parking area and an outside amenity area, evidenced by a trampoline, bar-b-que, a lock up storage shed and children's toys. There were four cars present at the time. Directly to the south of the site are the rears of dwellings that front onto Ashton Street. The Old Mill contains four No one bedroom flats and six No two bedroom flats.

Living conditions/design

4. The proposed development would result in an extension onto the western end of the Old Mill. The application form states that the extension would contain three No one bed flats although the Design and Access Statement indicates the proposal to be two single bedroom flats with a studio/bed sit flat on the

second floor. Drawing No 129.002.Rev A however clearly shows that there would be a one bedroom flat on the ground floor and a two bedroom maisonette over the first and second floors.

5. If this latter arrangement were to be the case then the living area of the maisonette, including the kitchen, would be in the roof space with only sky lights to let in light and no outlook other than this. If the second storey were to be a studio bed sit then the whole dwelling would have no outlook other than the sky lights.
6. The outlook from the front of the ground floor flat would be of two car parking spaces at very close proximity, and the rear of this property would have an extremely small space that would be bounded by the parked cars of the allowed McDonough Court development.
7. The footprint of the proposed extension is obviously used at present as an amenity/storage area and this facility would be negated by the proposed extension, as would several other areas currently used for amenity purposes due to the need for further parking. Whilst I acknowledge that the Town Park is only a short distance away, I still consider that the removal of current outdoor amenity areas would be detrimental to the living conditions of present and future occupiers. I also note that according to drawing 129.002.Rev A, the bin storage facility for the development would be directly adjacent to the rear amenity area of 13 Ashton Street.
8. To my mind all of these factors point to a cramped development that would be of poor design. The National Planning Policy Framework (the Framework) makes clear in paragraph 124 that good design is a key aspect of sustainable development. The Framework also states in paragraph 8c that the social objective of sustainable development includes the need to foster a well-designed and safe built environment. The proposed development therefore conflicts with the Framework in terms of its design and the social objective of sustainable development.

Car parking

9. Core Policy 64 of the Wiltshire Core Strategy (CS) relates to parking demand management and makes clear that the provision of car parking associated with well-designed new residential development will be based on minimum parking standards. These are detailed in the Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy (WLTP) at Table 7.1. The standard requires that for a one bedroom flat one car parking space is required and for a two bed property two spaces are required.
10. It follows that for the existing development a total of 16 spaces are required with a further three for the extension (irrespective as to whether it is for three dwellings or for two), giving a total of 19 spaces. Given that the parking requirement for the proposed development would impinge upon the requirement for the existing development it seems to me that it is correct for me to take the two requirements into account. Drawing No 129.002. Rev A shows a total of 12 spaces for the existing and proposed developments, indicating a shortage of seven spaces.
11. However, the appellant's rebuttal statement (January 2021) (RS) from IMA Transport Planning explains that the parking layout shown on this drawing is

erroneous as some of the parking spaces would not be accessible. The RS instead points in the direction of appendices SoE-7 and SoE-8 of the Appellant's original Statement of evidence. The layout in these appendices show a total of 9 possible spaces. This would result in a deficit of 10 spaces in relation to the requirement in the WLTP.

12. However, policy PS6 of the CS indicates that reduced car parking requirements will be considered in certain circumstances. One of these circumstances is where parking demand is likely to be low, and I have been supplied with data by the appellant from a time-lapse camera survey undertaken over one week in September 2020. This shows that the maximum number of cars using the site at any one time was four.
13. The Framework makes clear in paragraph 105 that in setting parking standards development policies should take account of a range of factors, including local car ownership levels, the accessibility of the development and the availability and opportunities for public transport.
14. In respect of local car ownership levels the appellant points to Census data that shows that about 60% of households in flats in the area of the appeal site do not own cars, and only about 7% have two or more cars. If these percentages are applied to the existing and proposed developments on the appeal site then only five spaces would be required.
15. From the appeal site it is about a six minute walk to the town centre, where there is a bus interchange facility, one route to the centre being a pleasant one through the town park. The railway station is somewhat further away, being about a 15 minute walk. However, overall, it seems to me that the appeal site can be considered to be in an accessible location in terms of transport and basic services.
16. Overall, whilst the parking proposed would be considerably less than that required by the WLTP I nonetheless consider, from the evidence before me, particularly the camera survey, that it would be adequate for the dwellings proposed. In arriving at this view I acknowledge the Council's point that the car ownership situation of tenants could change in the future. This does not however lead me to a different overall conclusion on this issue.

Conclusion

17. Notwithstanding this however, by virtue of my findings regarding design and the social objective of sustainability, which outweigh the issue of parking provision, I dismiss the appeal.

John Wilde

INSPECTOR