



Appeal Decision

Site visit made on 16 November 2021

by Mark Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th November 2021

Appeal Ref: APP/W1525/D/21/3279294

138 Ongar Road, Writtle, Chelmsford CM1 3NX

- 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 Ms Gemma Del Pizzo against the decision of Chelmsford City Council.
 - The application Ref 21/00905/FUL, dated 3 May 2021, was refused by notice dated 5 July 2021.
 - The development proposed was originally described as 'Add on double storey side extension with rear single storey element & rear 1st floor single storey addition. Removal of existing sun room/conservatory. Removal of existing car port/shed. External and internal refurbishment works. Addition of first floor window to front elevation. Relocation of property front entrance. Removal of pebble dashed cladding to entire property and the restoration of existing external masonry. Replace current UPVC windows with traditional style Sash windows.'
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Decision

1. The appeal is allowed and planning permission is granted for double storey side extension, double and single storey rear extension, removal of conservatory and garage, addition of windows to front elevation, relocation of entrance, replacement of current windows with sash windows, and external and internal refurbishment works at 138 Ongar Road, Writtle, Chelmsford CM1 3NX in accordance with the terms of the application, Ref 21/00905/FUL, dated 3 May 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 254/PL/001; 254/PL/002; 254/PL/003A; 254/PL/004A; 254/PL/005A; 254/PL/006; 254/PL/007.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those specified on the planning application form and the approved plans.

Procedural Matters

2. The description of the development in the heading above is taken from the planning application form. However, I have used the description stated on the appeal form and decision notice for the formal decision above, with some minor amendments to it, in the interests of clarity, precision and concision.
3. The National Planning Policy Framework (Framework) was revised on 20 July 2021. It replaces the version from 2019 that the Council considered when it

determined the application. There are few differences between the two versions of the Framework regarding the specific issues in dispute for this appeal, such that it has not been necessary to seek the views of the parties on this matter.

4. Additionally, since the application was determined, the Writtle Neighbourhood Plan (NP) has been subject to a referendum. The Council has confirmed that the results were in favour of the NP and thus it has come into force as part of the statutory development plan for the area. The Council has identified its relevance to the appeal. I have had regard to the NP in making this decision.

Main Issue

5. The main issue is the effect of the proposal on highway safety.

Reasons

6. The site includes a house at the end of a row of properties fronting Ongar Road. The house has a front porch and a detached garage to its side. An area of hardstanding accessed from the road is used as a parking space. Some of the properties within the row and further along Ongar Road, including some in a group near Longmeads Close, have no or one off-street parking space. When I visited, a moderately sized modern car was parked comfortably on the hardstanding space. In addition, one vehicle was parked on Ongar Road near the site and several more were parked near Longmeads Close. Vehicles were also parked near the site on Redwood Drive.
7. Amongst other things, the proposal includes the removal of the porch and the garage. The drawings indicate that two off-street parking spaces would be provided, with one in a similar position to the existing parking space, and the other to the front of the house around where the porch is situated.
8. The Essex Parking Standards (EPS)¹ provides guidance on parking. It identifies preferred parking space sizes of 5.5 metres by 2.9 metres, but neither of the proposed spaces would be that size. Chelmsford Local Plan (LP) Policy DM27 sets out that regard should be had to the EPS and that proposals should be supported by evidence detailing local circumstances that might justify deviation from the EPS. In addition, Policy WNP D1 of the NP sets out that development will be supported which includes off-street parking wherever possible. However, I have not been referred to any development plan policies which explicitly stipulate that development must comply with specific standards in the EPS.
9. The proposed side extension would be set back further from Ongar Road than the existing garage and thus there would be more space for a vehicle to park off-street than is currently the case. The space in front of the house would be roughly parallel to the highway. Access to it would likely involve a reversing manoeuvre that would be unfeasible for moderately sized cars. Consequently, that space is unlikely to be used regularly. However, the existing garage is likely to be capable of accommodating only small vehicles because of its narrow opening. Therefore, I consider that the existing and proposed parking arrangements each feature one practicably accessible and usable off-street parking space for moderately sized cars.
10. Although an increase in bedrooms is not shown on the drawings, the Design and Access Statement suggests that an additional bedroom would be created.

¹ Parking Standards: Design and Good Practice, September 2009

The proposal may therefore result in an increased number of inhabitants and thus demand for on-street parking. However, this does not necessarily mean that highway safety would be harmed.

11. Ongar Road is relatively straight, has footpaths on both sides and a 30 miles per hour speed limit. As such, there is good intervisibility between highway users along the road and vehicles must travel at relatively low speeds. There is no substantive evidence that the properties with limited off-street parking, or the parking that occurs on-street nearby, are currently causing highway safety issues. Furthermore, firm evidence has not been provided which indicates that on-street parking in the vicinity is nearing or at capacity. Any increase in on-street parking demand arising from extensions to a single dwelling is likely to be limited and additional vehicles would likely park in a similar way to vehicles being parked on-street currently. Based on the evidence and my observations on site, the proposal would not harm highway safety.
12. I find that local circumstances justify the proposed parking arrangement and the development would not result in harm to highway safety. The proposal complies with LP Policy DM27 and NP Policy WNP D1. In addition, it accords with paragraphs 110 to 112 of the Framework, which set out that development should only be prevented if there would be an unacceptable impact on highway safety, and that safe and suitable access for all users should be achieved.

Other Matters

13. NP Policy WNP D1 says that off-street parking should be combined with landscaping to minimise the visual impact of vehicles on the street scene. As the property already features some low-level landscaping and vehicles would be parked off-street primarily in similar positions to the current arrangement, I find no conflict with the policy. Interested parties raised concerns about the size and design of the proposal and its effect on the character and appearance of the area. However, the Council considered and did not object to the proposal regarding those matters. I have no compelling reasons to reach a different conclusion to the Council in respect of those matters.

Conditions

14. In addition to the standard time condition, one is needed to require that the development is carried out in accordance with the approved plans for certainty. The Council has recommended a condition to require that the materials to be used for the development match those used for the existing dwelling. However, the building is currently rendered, and this is proposed to be removed. The materials to be used are specified in detail on the application form and drawings, and thus a condition to require that the materials used are those specified is needed instead. This would ensure that the resulting property has a cohesive appearance and is compatible with the character of the area.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

Mark Philpott

INSPECTOR