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# Appeal Decision

Site visit made on 4 January 2022

**by Oliver Marigold BSc DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26<sup>th</sup> January 2022.**

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**Appeal Ref: APP/N1730/D/21/3284315**

**9 De Montfort Square, Odiham, Hook, RG29 1FR**

- 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 Paul Butler against the decision of Hart District Council.
  - The application Ref 21/01694/HOU, dated 17 June 2021, was refused by notice dated 6 September 2021.
  - The development proposed is single storey side extension, rooms in roof space with front dormer and window to existing gable.
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## Decision

1. The appeal is allowed and planning permission is granted for single storey side extension, rooms in roof space with front dormer and window to existing gable at 9 De Montfort Square, Odiham, Hook, RG29 1FR in accordance with the terms of the application, Ref 21/01694/HOU, dated 17 June 2021, subject to the conditions in the schedule to this decision below.

## Main Issue

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

## Reasons

3. The appeal proposal would involve the loss of one of the two parking spaces serving the property. The area is one of high-density housing and there is no dispute that the Council's Parking Provision Interim Guidance (adopted August 2008), a copy of which has been provided to me, normally requires provision of more than three spaces for a three-bedroom house such as this.
4. The Council argues that the property already has fewer parking spaces than required by the Guidance and I note that the proposal would leave only one space within the application site to serve the dwelling.
5. That said, at my site visit I found many unallocated and available spaces within the estate, both in parking areas nearby, and in on-street laybys, including some available in the layby opposite the appeal site. While my mid-morning visit represents a snapshot in time, within daytime working hours, I consider that there would be sufficient parking space available within the estate, despite the loss of this space.
6. I also note that the proposal would not increase the number of bedrooms and is therefore unlikely to increase demand for parking from occupiers of the dwelling.

7. In addition, the existing rearmost space is particularly awkward to use. Its tandem arrangement, and position tight against the adjacent garage, means that any vehicle using the rear space would be blocked in, were both spaces occupied simultaneously. The need to manoeuvre both cars to access or leave the space discourages its use, limiting the impact of its loss. In practice I saw that the space was used for bin storage rather than parking.
8. Therefore, while half of the allocated parking provision for the property would be removed, I do not consider that the loss of the space would impact on the practicable parking space for the property and therefore would not displace parking onto the public highway or cause inconvenience for road users provided the remaining space is retained. I therefore conclude that the proposal would not result in harm to highway safety.
9. Notwithstanding the Council's Guidance, I find that the proposal would comply with saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and policy INF3 of the Hart Local Plan (Strategy and Sites) 2032, both of which require that proposals provide appropriate parking provision.
10. Similarly, although not included in the refusal reason, the Odiham and North Warnborough Neighbourhood Plan (adopted June 2017) also forms part of the development plan against which I have assessed the proposal. Although its Policy 5 (viii) seeks adherence to the District Council's adopted parking guidelines, for the reasons given above I am satisfied that adequate parking would remain available following development of the appeal scheme.

### **Conditions**

11. The Council has provided a list of conditions, which I have assessed having regard to the advice provided in the Planning Practice Guidance (PPG). I agree that conditions relating to a time limit for commencement and adherence to plans are necessary. A condition that requires external surfaces to match those used in the existing building is necessary to ensure that the character and appearance of the area is safeguarded.
12. I also consider that a condition is necessary to ensure that the remaining space is kept available for car parking, in the interests of highway safety. I have amended the Council's suggested wording, in light of the PPG's guidance. The Council's Planning Officer report also mentions that the proposed window to the existing gable could be conditioned to ensure that the glass is obscured. However, this detail is covered by the approved plan and would not, I consider, require a separate condition. I also note in this respect that such a condition does not appear in the Council's list of suggested conditions.

### **Conclusion**

13. For the reasons given above, having considered the development plan as a whole and all other material considerations, I conclude that the appeal should succeed.

*Oliver Marigold*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 5208E (location plan), 5208E (block plan), SJS/2021/13/1, SJS/2021/13/2, SJS/2021/13/3R, SJS/2021/13/4, SJS/2021/13/5, SJS/2021/13/6.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The parking space shown on plan 5208E (block plan) in respect of the appeal site shall not be used for any purpose other than the parking of vehicles and access shall be maintained at all times to allow it to be used as such.

**\*\*\*End of Conditions\*\*\***