



Appeal Decision

Site visit made on 15 March 2022

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th March 2022

Appeal Ref: APP/M2840/D/22/3291899

10 The Drive, Wellingborough NN8 2DE

- 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 Terry Piechowiak against the decision of North Northamptonshire Council.
 - The application Ref NW/21/00705/FUL, dated 9 August 2021, was refused by notice dated 12 October 2021.
 - The development proposed is single storey, pitched roof front extension to provide porch and WC.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development makes appropriate provision for off-street parking in the interest of highway safety.

Reasons

3. The appeal property is a two storey semi-detached dwelling located in a mature well-established residential area, typically characterised by detached and semi-detached properties set back behind front gardens/driveways. The residential road in the vicinity of the access is a one-way section of road with narrow and straight alignment, wide footpath/grass verge and street lighting.
4. In terms of parking provision, the Local Highway Authority (LHA) requires 2 off-street parking spaces (measuring 5m length and 3m wide) to be provided for a three bedroom detached house in this location in line with the Northamptonshire Parking Standards Supplementary Planning Document 2016 (SPD). The Council contends that the current parking does not meet the LHA requirements in terms of the size and access arrangements and that the addition of the porch would further exacerbate this issue.
5. The appellant considers that the proposed development would provide two off-street parking spaces and has questioned the need for two parking spaces in accordance with the LHA requirements in light of other development in the area. Whilst I acknowledge that this is only guidance, it is a material consideration that carries significant weight, as it provides evidence to assess more objectively the impact of the proposed development on highway safety.

6. Policy 8 of the North Northamptonshire Joint Core Strategy 2016 (JCS) states, amongst other things, that development should ensure satisfactory parking and access arrangements and resist developments that would prejudice highway safety. Paragraph 110 of the National Planning Policy Framework (the Framework) states that decisions should take into account whether safe and suitable access to the site can be achieved for all users. Paragraph 111 of the Framework goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.
7. From the evidence provided and from my observations on site, I consider that the parking arrangements associated with the proposed development would be neither safe nor suitable to safely cater for the traffic movements from the host property. Due to the current configuration of the site and the proposed access arrangements, vehicles manoeuvring in and out of the site, would be limited by the proposed porch and the layout and design of the parking provision on the site. The restricted nature and width of the resulting hardstanding area and its associated access at the front of the appeal property would result in increased potential for conflicts between traffic and cyclists or pedestrians in the vicinity of the site.
8. I have considered the appellant's arguments that the design and layout of the porch extension have been carefully considered and redesigned in order to optimise the parking provision on the site and minimise any impacts on highway safety in the area. However, whilst the reduction in the projection of the porch extension and the removal of part of the front boundary wall to provide a widened access from The Drive to the car hardstanding area at the front of the property would assist in integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above.
9. Consequently, I conclude that the proposed development would have an adverse effect on highway safety and would be contrary to Policy 8 of the JCS and the SPD. This policy and guidance, amongst other things, require development that provides satisfactory parking and access arrangements in accordance with the adopted standards and resists developments that would prejudice highway safety. It would also not accord with the Framework that seeks to ensure developments achieve safe and suitable access to the site for all users (paragraph 110), highway safety (paragraph 111) and create places which minimise the scope for conflicts between pedestrians, cyclists and vehicles (paragraph 112).

Other Matters

10. I have considered the appellant's comments regarding the family's personal circumstances and the benefits arising from the proposed porch extension. I have considerable sympathy for the appellant's circumstances. However, the courts have generally taken the view that planning is concerned with land use in the public interest. Although personal circumstances can sometimes justify a personal or temporary permission, that would not be appropriate here where a permanent structure is intended.
11. I have considered the appellant's arguments regarding the type of porch extensions that can be built on a dwellinghouse under General Permitted Development Rights. Whilst this may be so, this does not set a precedent for

such an inappropriate development in this location for the reasons set out above.

12. I note the appellant's comments regarding the various benefits arising from the proposal including the scheme's high quality design and to create additional accommodation to meet the needs of the appellant. While I have given them some weight, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

13. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR