
Appeal Decision

Site visit made on 19 April 2022

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 April 2022

Appeal Ref: APP/C3105/W/21/3286386

5 Chichester Walk, Banbury, Oxon, OX16 1YP.

- 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 A Bawa against the decision of Cherwell District Council.
 - The application Ref. 21/01403/F, dated 20 April 21, was refused by notice dated 15 June 21.
 - The development proposed is the erection of a two storey extension and conversion into two separate studio flats with on plot parking and electric vehicle charging points.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Background

3. The appeal site comprises a small two storey house which is semi-detached 'back to back' with No. 4 but also sits alongside the gable end of No.6. There is an existing single storey extension to the side of the property and it is proposed to demolish this and erect a two storey extension and the enlarged property would then be converted to two small studio flats - one on each floor. I understand that a two storey extension as an enlargement of the dwelling and one additional parking space (but not subdivision to two flats) was permitted in 2020 but has not been implemented yet.

Effect on parking provision and highway safety.

4. In terms of parking provision at the moment the submitted plans indicate that the property has a space in a nearby garage block although this is shown to be used for storage. There is also unallocated parking bays in a communal area to the front of the property. The Council says that the local highway guidance indicates that the two studio flats should have three parking spaces – one per unit and an additional unallocated space. It is proposed to form two new parking spaces in the remaining side garden of the property. However, in order to gain access to these, two of the unallocated spaces would be lost. Therefore, in practice no additional spaces would be provided for the additional

residential unit and there would be a clear deficiency in overall parking provision. Moreover, it appears from the objections made by local people that there is already parking stress in the area, with photographs of additional vehicles being parked away from bays and *ad hoc* parking restrictions on grass verges and I saw evidence of these at my visit.

5. Overall, on the evidence put to me I find that the development proposed would not make reasonable parking provision for the additional residential unit and the deficiency would be likely to increase parking stress in the area and result in more indiscriminate parking around the highway which would not be in the interests of highway safety. The proposal would conflict with Policy ESD15 of the Cherwell Local Plan as the proposal would not improve the way the area functions. This harm and conflict with policy is not outweighed by any other factor and this indicates that the appeal should not be allowed.

Conclusion

6. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR