



Appeal Decision

Site visit made on 27 May 2022

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2022

Appeal Ref: APP/V0510/D/22/3292129 57 Gateway Gardens, Ely CB6 3DE.

- 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 Mrs Joanne Smith against the decision of East Cambridgeshire District Council.
 - The application Ref 21/01675/FUL dated 12 October 2021, was refused by notice dated 27 January 2022.
 - The development proposed is to convert part of existing garage to dining room/lounge area knocking through from kitchen to current garage to create a new open kitchen and dining room. Front of garage facing road will remain using existing garage door and will be used as storage. New bifold door to be fitted at the back of the garage leading onto the rear enclosed garden.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would have a detrimental impact on highway safety and living conditions as a result of reduced space for on-site parking.

Reasons

3. Gateway Gardens, where the appeal site is located, is part of a modern, relatively high density residential estate of two and three storey town houses and flats in brick and tile. The houses are very close to the roadways in the estate which are only partially served by footpaths, with some roadways (including the roadway serving the appeal site) taking the form of a shared surface court. The houses have integral garages on the frontages which, for the most part, are tightly configured with minimal drive space on most of the properties.
4. It was apparent from my site inspection that even in the early afternoon there was a high incidence of parking stress with a number of cars parked partially on the footpaths that do exist and others projecting into shared road space. The garage to the appeal property was not in use for the parking of a car and instead was in use as a bike store and for general storage purposes.
5. I have been referred to what the appellant considers is a similar proposal next door at No 56 where a garage conversion was allowed reportedly on the basis that the space it offered was substandard and which the appellant suggests justifies allowing the appeal proposal. However, I am not persuaded that the cases are directly comparable as No 56 has a recessed garage door and at least has sufficient space across and parallel to the frontage to park one car but in any event

this would not warrant similar substandard arrangements at No 57. I will therefore determine the appeal case on its own merits.

6. It has been put to me that the property would have space both in front of the garage for parking and adjacent the front entrance to the property which is where the appellant's car was parked at the time of my visit. It was very apparent that even the smallest car would not be able to be parked in front of the garage doors without projecting significantly onto the shared surface carriageway as only just over 2 metres was notionally available in front of the roller door.
7. Whilst I accept that to the south of the property there would be more space for parking, I am not persuaded that appropriate parking spaces for 2 vehicles (which is the requirement for the property under the *East Cambridgeshire Parking Standards*) would be available. Although physically two cars could be parked on street by the front entrance to No 57 this would not be satisfactory as two parked cars in that location would impact on the frontage to No 58 as parked vehicles would be very close to that property's ground floor window. I accept there is some space in the courtyard southwest of the appeal property fronting the open space but in part this provides a through access to Nos 59 to 62 Gateway Gardens, which should not be obstructed, and also should provide the visitor parking of 1 space per four units (also required by the standards).
8. I acknowledge that the Parking Standards do allow some flexibility where there is good accessibility by means other than the private car. However, in this case, Gateway Gardens is not particularly close to the town centre being about a 1.5 kilometre walk to the High Street and, whilst there are bus stops on Witchford Road close to Gateway Gardens, the number of services and their frequency are limited. Therefore I am not persuaded that sufficient sustainable transport alternatives to the use of the private car are available to warrant reducing the parking requirement for the property.
9. Whilst I accept that the reality is that the appellant currently does not use the garage, parking the household's single car by the front entrance, a future owner/occupier of the property may have more than one vehicle. Allowing the garage to be converted to living accommodation would result in the loss of any off street parking and additional parking stress and parking congestion in Gateway Gardens to the detriment of highway safety.
10. As such the proposal would be contrary to policy COM 8 of the *East Cambridgeshire Local Plan* (ECLP) which seeks to provide adequate levels of car parking broadly in accordance with the Council's Parking Standards.

Other Matters

11. I understand the appellant's wish to achieve additional accommodation through the garage conversion and in that way make sustainable and effective use of housing land, an objective which is encouraged by the Framework in Section 11. However, this should not be at the expense of highway safety in what is a tight urban environment. As such, sustainable and effective use of the dwelling would not, of itself, outweigh the harm as a result of the proposal.

Conclusion

12. In reaching my decision I have had regard to the matters before me and for the reasons above the appeal should be dismissed.

P. D. Biggers INSPECTOR