



Appeal Decision

Site visit made on 3 August 2022

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11TH August 2022

Appeal Ref: APP/W1525/D/22/3301572

2 Castlefields, Great Leighs, Chelmsford, Essex CM3 1JW

- 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 B Devine against the decision of Chelmsford City Council.
 - The application Ref 22/00464/FUL dated 4 March 2022, was refused by notice dated 3 May 2022.
 - The development proposed is described as extension and alterations to ground floor.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is within a predominantly residential area with shared vehicle and pedestrian carriageway. Off-street parking in the form of a garage and undercroft area is available at the appeal site. The proposed development would remove the existing parking provision for the four bedroom property which is safeguarded by the imposition of a planning condition attached to the original housing development.
4. An area identified by the Appellant for parking in front of the existing gates of the appeal site would be retained along with an area adjacent No.1 Castlefields. I observed during my site visit that vehicles parked on the area adjacent No.1 overhang the access road into the cul-de-sac. Similarly photographs provided by the Appellant demonstrate that a vehicle parked in front of the existing gates also overhangs onto the public highway.
5. Whilst on-street parking within this residential area is prevalent, the parking spaces identified by the Appellant as being available are limited in size and overhang the public highway. Due to the overhang, the shared vehicle and pedestrian carriageway, the location of the proposed parking provision on the access into the cul-de-sac which whilst set back from the junction of Castlefields and Brickbarns conflict between highway users would occur.
6. Photographs have been provided by both parties relating to vehicular parking within the area. Notwithstanding this during my site visit the availability of on-street car parking spaces were limited due to the amount of vehicles parked in the immediate area. Whilst on-street parking availability will vary, I have not

been provided with substantive evidence to demonstrate that there is adequate and suitable on-street parking available within the area to mitigate the loss of the off-street parking spaces.

7. My attention has been drawn by the Appellant to other properties in the immediate area which have carried out similar development and removed off-street parking provision. I understand the Council considered that the limited through traffic along with the areas of on-street parking available in the immediate area would be sufficient to provide informal parking.
8. Notwithstanding this each development must be considered on its individual merits, and I have reached my conclusion based on the individual merits of the appeal proposal. The presence of similar developments does not persuade me that the proposed development, which would remove off-street parking spaces and provide inadequate alternative parking spaces, should be allowed.
9. I find that the proposal would harm highway safety. There is conflict with Policy DM27 of the Chelmsford Local Plan (2020) which amongst other things seeks to ensure developments provide minimum parking for residential development to address issues of on-street parking.
10. There is conflict with the National Planning Policy Framework (2021) which seeks to ensure developments have an acceptable impact on highway safety.

Conclusion

11. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR