

Appeal Decision

Site visit made on 15 July 2022

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2022

Appeal Ref: APP/N1730/D/22/3300061

11 Cresley Drive, London Road, Hook, RG27 9GY

- 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 John Ball against the decision of Hart District Council.
 - The application Ref 22/00683/HOU, dated 24 March 2022, was refused by notice dated 23 May 2022.
 - The development proposed is the conversion of loft into habitable accommodation with rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of loft into habitable accommodation with rear dormer at 11 Cresley Drive, London Road, Hook, RG27 9GY in accordance with the terms of the application Ref 22/00683/HOU, dated 24 March 2022, subject to the conditions set out in the attached Schedule.

Preliminary matters

2. In the interests of accuracy and brevity I have utilised the Council's description of the proposal used in its decision notice in preference to that used in the original application form.
3. An assessment is contained in the officer report as to the design and appearance of the proposal and its impact on neighbouring living conditions. The Council found the proposal acceptable in these respects, and I have no reason to disagree. I should add that I took particular note of the objection raised by a neighbouring resident at No 1 Rookwood Close, but I am satisfied that the proposal would not have a material effect on the level of privacy currently enjoyed by its residents.

Main Issue

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

Reasons

5. The appeal property is a semi-detached dwelling fronting London Road (A30). It forms part of a modest, modern development of 11 dwellings served by a cul-de-sac, called Cresley Drive, which is a private road. Parking spaces are

- provided off the cul-de-sac, which is pleasantly landscaped. The appellant wishes to create an additional bedroom in the loft to cater for a growing family.
6. Based on the application of its parking standards¹ the Council takes the view that *'as a result of the development, the site would have a shortfall of 2.25 parking spaces'*. This is because, in the Council's view, the additional bedroom would make the dwelling 3 bedroomed, generating a requirement of 3.25 spaces whereas the applicant can only offer a single parking space under his control.
 7. The standards relied upon by the Council in its Guidance are 14 years old, and The Guidance provides that:

The key national policy documents which have been considered in preparing this report are PPS1, Supplement to PPS1, PPS3, PPG13 and the consultation document PPS4.
 8. However, these aspects of national planning policy and guidance were replaced a decade or so ago upon the publication of the first edition of the NPPF².
 9. Moreover, the document's title refers to the guidance as being *'interim'*, which strongly suggests that the Guidance would be applicable for a short period of time before being reviewed and replaced. Indeed, the Guidance explains that it was expected that a Parking Standards Supplementary Planning Document (SPD) would be adopted following the adoption of the Council's Core Strategy, then in the early course of preparation. However, the Core Strategy never progressed to adoption, and no SPD has been prepared.
 10. Whilst the Guidance is material to my considerations it attracts limited weight since it is based on national policies which no longer exist, and it has not been reviewed, as was originally intended, in the light of changing policy guidance at national and local levels.
 11. The officer report on the original application asserts that the alleged shortfall in parking provision *'...would put extra pressure on the local highways network'*. But no adequate explanation and certainly no evidence has been provided as to the *'pressure'* to which the Council refers, either now or in the future.
 12. It seems to me that if the current parking provision in Cresley Drive were considered substandard under the terms of the Council's Guidance, then this would already have had ramifications on the adjacent London Road. However, no evidence to this effect has been forthcoming³.
 13. Whilst my visit took place mid-morning, I saw no evidence of adverse impacts due to parking on London Road. Moreover, I saw that communal areas within the cul-de-sac could feasibly be used for limited parking, which would in my view satisfy the theoretical additional parking demand generated by the proposal, should it ever arise in reality.

¹ Parking Provision Interim Guidance (2008)

² The National Planning Policy Framework

³ A local resident expressed concern that residents of Cresley Drive may park in nearby Rookwood Close, but provides no convincing evidence that this may already be occurring.

14. I note the Council's point that no additional parking spaces would be provided within the appeal site's curtilage, but Cresley Drive (including the drive itself, parking spaces, and other landscaped areas) is managed collectively by and on behalf of all its residents. No resident of Cresley Drive has objected to the proposal or made any reference to parking pressures.
15. The Council makes a general reference to the NPPF in its reason for refusal. However, the Framework also provides:
Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
16. The Council has not produced any convincing evidence or demonstrated that such consequence would arise.
17. I therefore conclude that the proposed development could proceed without harming highway safety. Accordingly, I find no conflict with those provisions of policy INF3 of the Hart Local Plan (Strategy and Sites) 2032 or policy GEN1 of the Hart Local Plan(Replacement)1996-2006, requiring new development to make appropriate or adequate parking provision.

Conditions

18. In the interests of visual amenity, I shall impose the Council's suggested condition in respect of external materials.
19. It is also necessary, in the interests of certainty that the development shall be carried out in accordance with the approved plans.

Other matters

20. I have taken account of all other matters raised in the representations including the comments made by the Hook Parish Council, but none outweighs those considerations which led me to my conclusions.

G Powys Jones

INSPECTOR

SCHEDULE OF CONDITIONS

- 1). The development hereby permitted shall begin not later than three years from the date of this decision.
- 2). The development hereby permitted shall be completed in accordance with the following approved plans: The location and block plans and plan Nos 01; 02; 03; 04; 05; 06 & 07.
- 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.