

Appeal Decision

Site visit made on 23 August 2022

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 29 September 2022

Appeal Reference: APP/W1525/D/22/3302295

20 John Eve Avenue, Springfield, Chelmsford, Essex CM1 6DF

- 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 and Mrs Hester against the decision of Chelmsford City Council.
 - The application (reference 22/00664/FUL, dated 1 April 2022) was refused by notice dated 6 June 2022.
 - The development proposed is described in the application form as “proposed partial garage conversion and increased block paving to front to extend parking”.
-

Decision

1. The appeal is dismissed.

Main issues

2. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings. It is also necessary to consider the effect of the proposed development on highway safety and on surface water drainage.

Reasons

3. The appeal site is located in a rather modern residential area of Chelmsford, in the north-west part of the City. The area has been carefully laid out to achieve an attractive living environment, with contrasting streetscenes in different locations. Some streets are narrow winding roads with houses built close up to the thoroughfare, reminiscent of a village character, while John Eve Avenue is a straight road, with houses set back behind wide front gardens, allowing for some off-street parking but creating an open landscaped streetscene with small trees, shrubs and other planting. At its south-eastern end, John Eve Avenue continues as a pedestrian route into an extensive area of public open space.
4. It is now proposed to extend the parking area in front of number 20 John Eve Avenue, to provide an additional on-site parking space in the front garden, together with the conversion of the rear part of the existing garage to form an extra living room (retaining the front part as a smaller garage).
5. The ‘National Planning Policy Framework’ (which was revised in July 2021) emphasises the aim of “achieving well designed places” in the broadest sense

- (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities.
6. Sustainability is one of the broad underlying aims of the 'National Planning Policy Framework' and, under the heading "Promoting sustainable transport", Section 9 deals with a number of transport related issues more specifically. Among other things, it points out the need to prevent significant impacts on highway safety and congestion and it notes that it is important to ensure that "safe and suitable access to the site can be achieved for all users" (paragraph 110).
 7. Policies in the Development Plan reflect these basic considerations. Notably, Policy DM23 of the 'Chelmsford Local Plan' (which was formally adopted on 27 May 2020) is intended to encourage development that respects the character and appearance of its surroundings. This Policy also promotes sustainable development more generally and identifies practical needs (which include such matters as highway safety and suitable drainage provision).
 8. The proposed development would involve the conversion of the rear part of the existing garage to form a "lounge / family room", which would make a useful addition to the living space within the house. An area of new block paving would be laid out at the front of the property, to extend the existing parking spaces, compensating for the loss of part of the garage. The submitted drawings show that the new parking area would be laid out in such a way as to retain a landscaped area adjacent to the roadside, with the additional paving adjacent to the front of the house.
 9. Even so, the additional hard surfacing would significantly reduce the landscaped area as a whole and this, together with the parked cars themselves, would have a negative impact on the streetscene. John Eve Avenue has a rather stately character as a wide landscaped space leading towards the open land beyond and the proposal would erode this character, especially if the alterations were to be repeated elsewhere. The appearance of the area in front of the houses would change, since it would become a harder and less attractive zone, dominated by cars.
 10. The new housing development as a whole has been carefully designed with contrasting spaces, as noted above, and the proposed development, though minor in itself, would undermine the cohesion of John Eve Avenue and would detract from its open, landscaped appearance. I am convinced that it ought not to be allowed, therefore.
 11. It is suggested that the scheme could give rise to additional on-street parking, for example if drivers preferred to avoid tandem parking on the site, but that would not necessarily exacerbate the existing situation in relation to the highway issue in my view. In any case, the impact on highway safety or convenience would not be significant, since the site is located in a cul-de-sac, where low traffic speeds apply and where there is limited vehicular traffic.
 12. It is also pointed out that the additional hardstanding would alter the potential rainwater run-off from the plot, with a potential impact on the designed

sustainable drainage system that was part of the original layout, although limited evidence has been presented in support of this argument. Again, however, I am not convinced that the implications of the proposed are so serious as to justify a refusal of planning permission.

13. Evidently, the appeal site lies within an established urban area, which is intrinsically sustainable in planning terms, and the proposed development would make a useful addition to the existing house. Nevertheless, I am convinced that the harm that would be done to the setting of the existing house and to the streetscene outweigh the benefits of the project. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed.
14. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C. Shrimplin

INSPECTOR