



Appeal Decision

Site visit made on 13 February 2023

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 February 2023

Appeal Ref: APP/A1720/W/22/3294295

21 Fragorum Fields, Fareham, Hampshire PO14 4TG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Qasim Niazi against the decision of Fareham Borough Council.
 - The application Ref P/21/1960/FP, dated 6 December 2021, was approved on 2 February 2022 and planning permission was granted subject to conditions.
 - The development permitted is convert part of the garage into a habitable room.
 - The condition in dispute is No 4 which states that: The part garage conversion hereby permitted shall not be brought into use until the existing garage door on the property has been removed to create the second car parking space and shall not be reattached at any time.
 - The reason given for the condition is: To ensure adequate parking provision within the site, and in the interests of highway safety.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the disputed condition is reasonable and necessary in the interests of ensuring adequate parking provision and highway safety.

Reasons

3. The appeal relates to a 3-bed dwelling within a modern housing development. The property was originally approved with a single garage plus a driveway for one car. Permission has since been granted for the conversion of the rear section of the garage into a habitable room, justified on the basis that sufficient space would remain for the parking of two vehicles within the plot. This level of provision would comply with the Council's Residential Car and Cycle Parking Standards Supplementary Planning Document (2009) (SPD). The SPD requires two parking spaces for a 3-bed dwelling where on-plot parking is being proposed. Paragraph 5.2 of the SPD explains that, in such circumstances, it is important that maximum parking provision is provided so as not to put added pressures on other parts of the development or surrounding streets.
4. The design and layout of Fragorum Fields is such that parking is at a premium. The carriageway is relatively narrow and this encourages drivers to park on the pavements. I saw various examples of this behaviour during my visit, and am mindful that the number of parked vehicles is likely to be higher in the evenings and at weekends. There is no substantive evidence before me to demonstrate that there is sufficient on-street capacity to accommodate additional parked vehicles without detriment to the safety of pedestrians and other road users.

5. The position of the garage door is such that, when in the closed state, it would prevent the front half of the garage from being used for parking. Parking would therefore be restricted to a sole vehicle on the driveway. This would displace a vehicle onto the road, which would be detrimental to highway safety.
6. I acknowledge that removal of the garage door would change the appearance of the dwelling. However, the garage is set well back from the front wall of the house and it is not prominent; removal of the up-and-over door would create the equivalent of a car port but this would not have a significant impact on the street scene.
7. The appellant does not wish to build a masonry wall within the garage. The intention is to erect a temporary separation between the parking bays and the new habitable room, to facilitate conversion back into a complete garage in the future. It is contended that removal of the garage door would compromise security and affect the value of the house. I have taken account of these arguments, but they do not justify the retention of the door, given the importance of retaining two on-plot parking spaces. In my view, there is no reason why the new room could not be constructed in such a way that makes it secure whilst still enabling the works to be reversed by a subsequent occupier.
8. I conclude that the disputed condition is reasonable and necessary in the interests of ensuring adequate parking provision and highway safety. Without the condition, the development would conflict with Policy CS17 of the Fareham Local Development Framework: Core Strategy (2011), insofar as it requires proposals to provide appropriate parking for intended uses taking account of the accessibility and context of a development and tackling climate change.

Conclusion

9. For the reasons set out above, the appeal is dismissed.

Robert Parker

INSPECTOR