



Appeal Decision

Site visit made on 1 February 2023

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th February 2023

Appeal Ref: APP/V3120/D/22/3292237

16 Beaker Place, Milton, Abingdon, Oxon, OX14 4FR

- 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 David Portman against the decision of the Vale of White Horse District Council.
 - The application Ref P21/V1400/HH, dated 18 November 2021, was refused by notice dated 20 December 2021.
 - The development proposed is partial garage conversion front garage door remains in place.
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Decision

1. The appeal is allowed and planning permission is granted for partial garage conversion front garage door remains in place at 16 Beaker Place, Milton, Abingdon, Oxon, OX14 4FR in accordance with the terms of the application, Ref P21/V1400/HH, dated 18 November 2021, and the plans submitted with it.

Preliminary Matter

2. The application form and decision notice refer to the development as retrospective and I have dealt with the appeal on that basis.

Main Issue

3. The main issue is the effect of the proposed development upon highway and pedestrian safety.

Reasons

4. The appeal site relates to a detached house with a linked garage in a modern housing estate. Beaker Place is a relatively narrow no through road with off road parking comprising a mixture of dedicated parking areas and garages with parking spaces in front of them.
5. The Council is concerned that the partial conversion of the garage into a home office has reduced parking from 1 to 2 spaces at the appeal property and will lead to parking on the private access road causing an obstruction, harming vehicular and pedestrian safety. The appellant has suggested that the garage was too small to be used for vehicle parking. However, the dimensions and door size appear to be suitable for a car and thus its conversion has reduced the parking available to the appeal property.
6. The pavement for this part of the housing estate ends at the appeal site with the access road finished with paviours and no demarcation of parking spaces or

vehicular or pedestrian access. The road then bends and narrows providing access to 2 more houses before it ends at bollards restricting access beyond to pedestrians. Almost opposite the appeal site there is a parking bay for 2 to 3 cars. There is no indication that these are reserved for specific properties, or visitors, and could not therefore be used as an additional parking space by the appellant.

7. During my visit a car was parked in front of the appellant's garage and another in front of a neighbouring house. Neither caused an obstruction that would prevent traffic or pedestrians passing. Furthermore, the informal layout and proximity to the bend in the road, and no through section, restrict traffic speeds near the house to approximately walking speed. As such, even if the development leads to additional on street parking, pedestrians and vehicles would have time to safely manoeuvre around parked cars so there would be no harm to either pedestrian or vehicular safety. The Highways Authority has provided no evidence that the development has caused a safety issue to date and, given that the development was completed more than 2 years ago, I would have expected some neighbour representations if the development had led to problems for vehicles or pedestrians.
8. I am therefore satisfied that, in this case, the conversion of the garage and loss of a parking space has not led to harm to highway or pedestrian safety and there is therefore no conflict with Policy CP35 and CP37 of the Vale of White Horse Local Plan 2031 (LP) Part 1 (2016), Policy DP16 of the LP Part 2 (2019), the Vale of White Horse Design Guide (2015) and the National Planning Policy Framework (2021) which require that development ensures safe movement for all users and adequate parking provision.

Conditions

9. Planning permission is sought retrospectively therefore no time limit for commencement is required. Because the development has already been constructed, there is no need to specify the plans to be followed or the materials to be used in construction, as suggested by the Council. No other conditions are necessary.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

P D Sedgwick

INSPECTOR