



Appeal Decision

Site visit made on 7 February 2023

by Emma Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 February 2023

Appeal Ref: APP/V0510/W/22/3304545

32 Celandine View, Soham, Cambridgeshire CB7 5DP

- 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 Mark Dobinson against the decision of East Cambridgeshire District Council.
 - The application Ref 22/00680/FUL, dated 6 June 2022, was refused by notice dated 4 August 2022.
 - The development proposed is the change of use of part of garage to private office and storage (retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of part of garage to private office and storage (retrospective) at 32 Celandine View, Soham, Cambridgeshire CB7 5DP in accordance with the terms of the application, Ref 22/00680/FUL, dated 6 June 2022, and the plans submitted with it.

Preliminary Matters

2. The description on the decision notice differs from that on the application form as the Council altered the description of the development to better reflect the proposal. I consider this to be a more concise and accurate description of the appeal proposals and I have therefore used this description in the banner heading above and considered the appeal on this basis.
3. The development has already been carried out. The plans before me appear to reflect the development that has taken place, as such the appeal is determined on the basis of the submitted plans.

Main Issue

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

Reasons

5. The refusal reason refers to inconvenience to road users as a consequence of the loss of the off-road parking space and the subsequent increased demand for on-street parking. However, the Council's analysis and alleged policy conflict clearly refers to highway safety.
6. The appeal site comprises a modern terraced dwelling which is located within a development of similar 2 and 3 storey residential properties that vary in design and appearance. Access to the detached garage to the rear of the property is

via a cul-de-sac located to the side of the site. The garage, which has in part been converted to a home office, has a single parking space to the driveway to the front. It has been brought to my attention that the development at Celandine View is subject to a planning condition that restricts the use of garages to the parking of vehicles and not for any other purposes, without the express consent of the local planning authority to do so.

7. Policy COM8 of the East Cambridgeshire Local Plan 2015 sets out that developments should provide adequate levels of off-street parking, broadly in accordance with the Council's parking standards. The supporting text indicates one of the reasons being that under supply may lead to on-street parking which may create potential problems of, among other things, highway safety. The relevant parking standards indicate a requirement of 2 car spaces per dwelling, taking account of site specific circumstances. The conversion of the garage at the appeal site means there is just one off-road parking space to serve the property.
8. I note the Council's concerns that the loss of the parking space at the appeal site increases the likelihood of on-street parking, exacerbating the existing parking stress in the area, which includes vehicles obstructing the footpaths and shared road space, to the detriment of vehicles using the highway.
9. Parking provision at the development at Celandine View is made up of a combination of on street parking, parking courts, under croft parking areas, driveways and garages. The appeal submissions indicate that there are in the region of 190 formal resident parking spaces plus approximately 45-50 on-street parking spaces to serve the development of 96 dwellings. This exceeds the requirement set out in Policy COM8 of 2 spaces per dwelling for residents and up to 1 car space per 4 units for visitors.
10. At the time of my site visit, which I appreciate was during the day when residents are more likely to be out at work, while there were a number of vehicles parked on the highway, there were also plentiful opportunities for on-street parking available. The extent of on-street parking in the area was therefore not so apparent to indicate evidence of a clear parking problem.
11. The appellant also indicates that they do not experience parking challenges in the area and that on-street parking provision on the road to the side of the property comfortably meets the parking needs of residents. In addition, my attention is drawn to the fact that, prior to its conversion, the garage had not been used for parking purposes for a number of years. Whilst that situation could change over time it illustrates that the use of a garage for parking cannot be compelled, even with the presence of a planning condition which stipulates that the garage shall remain available for such purposes.
12. For the foregoing reasons, in the absence of any substantive evidence of a local parking issue, I find that the modest shortfall in parking provision at the appeal site, is unlikely to cause a degree of parking congestion on the public highway that is harmful to highway safety.
13. Given my findings on the main issue, there is no reason to believe that the development encourages the parking of 2 vehicles on the driveway to the front of the garage, leading to safety issues with vehicles overhanging the highway.

14. I therefore conclude that the proposal does not result in a shortage in off-road parking provision in this location that harms highway safety. Accordingly, I find that the proposal would not conflict with contrary to Policy COM8 of the East Cambridgeshire Local Plan 2015 which requires development to provide adequate levels of car parking.

Conditions

15. As the development has already been carried out and bearing in mind the advice and tests set out in paragraph 55 of the National Planning Policy Framework, there is no need for any additional conditions to be imposed.

Conclusion

16. For the reasons set out above the appeal is allowed.

Emma Worley

INSPECTOR