
Appeal Decision

Site visit made on 7 March 2023

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 March 2023

Appeal Ref: APP/M1520/D/22/3311671

15 Nordland Road, Canvey Island, Essex, SS8 8HS

- 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 Miss Louise Turmaine against the decision of Castle Point Borough Council.
 - The application Ref. 22/0364/FUL, dated 3 May 2022, was refused by notice dated 5 September 2022.
 - The development proposed is garage conversion to habitable room including removal and replacement of existing garage flat roof.
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Decision

1. The appeal is allowed and planning permission is granted for garage conversion to habitable room including removal and replacement of existing garage flat roof at 15 Nordland Road, Canvey Island, Essex, SS8 8HS, in accordance with the terms of the application, Ref. 22/0364/FUL, dated 3 May 2022, subject to the following 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 carried out in accordance with the following approved plans: 1:1250 scale location plan; 1:500 scale location plan; A101 Proposed_Elevations; and A102 Construction Details & Sections.
 - 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.

Main Issue

2. The main issue is the effect of the proposal on parking provision and highway safety.

Reasons

3. The appeal property is a single-storey dwelling with a side garage that is built up to that of the neighbouring house. In keeping with other properties in the vicinity, the front of the dwelling is not parallel to the road, and has a front garden which varies in depth.
4. The existing garage is narrow in width and significantly below the size to constitute a garage space set out in the Essex Parking Standards Design and

Good Practice 2009 (PS), which the Council applies in accordance with Policy T8 of the Castle Point Borough Local Plan 1998 (LP). Although the planning application form refers to an on-site parking space in front of the garage of 2350 x 4850, measured on the ground it is larger and would meet the size required for a parking space. There is no option to create a second space on the frontage due its depth.

5. The appellant advises that the dwelling would be 2-bedroom, but was sold as a 3-bedroom property. This corresponds with the description in planning permission CPT/BR/238/88 listed in the Design & Access Statement. As submitted, the proposal is to use the converted garage for home-working, but even if it were to be used as a third bedroom in the longer term, the property would remain 3-bedroom; the original third bedroom (marked as a 'gym' on the submitted plans) would be below the size for a single bedroom as set out in the national Technical Housing Standards, and therefore the chance of occupancy of the property materially increasing would be slight.
6. The PS advises that two on-site parking spaces would be needed for a 2- or more bedroom property. As such, the proposal would not alter the parking requirement at the site. Although the Council considers that the loss of the garage would reduce the available on-site parking to below standard, the existing garage is too small for such use. The PS advises that the minimum internal garage size for cars is 7.0m x 3.0m, and that any smaller and the garage could not be considered a parking space or count towards the parking space allocation¹. In this context, the existing property only benefits from one usable off-street space, and this would not alter as a result of this proposal.
7. The Council suggests that households with two cars often have one larger car and one smaller one, and that the garage would still offer the potential for a smaller car to be parked. However, no evidence has been supplied to support this assertion. The Council acknowledges that it might be more convenient to empty the car of passengers and cargo before parking it in the garage due to its limited width. However, as the existing garage is less than the minimum size standard of an open parking bay, I think it unlikely that residents would use the garage for this purpose. Residents would be deterred from, for example, leaving children, shopping or pets unattended on the driveway whilst attempting to park a vehicle in the garage. As the existing garage is no longer suitable for its intended purpose, I consider it acceptable to make more effective use of the space to meet modern living needs.
8. I can appreciate the Council's concern about the cumulative effect of such proposals leading to an increase in on-street parking, and affecting highway safety. However, Nordland Road is not a particularly narrow carriageway such that on-street parking would cause obstruction for service and emergency vehicles. I do not doubt that there are times when there is on-street parking demand, but no evidence has been supplied of parking congestion in the vicinity, as suggested by the Council. I share the appellant's view that the property is sustainably located relative to public transport and local shops and facilities, giving the option to access facilities by alternative means than the private car. On this basis, I am not persuaded that the proposal need give rise to an increase in on-street parking, or any that could not be accommodated. The proposal would not conflict with paragraph 112 of the National Planning

¹ Paragraph 3.4.16

Policy Framework (the Framework), and no conflict with pedestrians, cyclists, emergency and other vehicles need arise.

9. I therefore conclude that the proposal would include sufficient parking provision to meet the needs of current and future occupants of the property, and would not be detrimental to highway safety. This would accord with the Framework, with LP Policy T8 and the adopted parking standards, and with LP Policy EC2, which requires all modes of movement to be made safe and convenient.

Other Matters

10. The proposal includes the raising of the garage roof and installation of a roof light, and the replacement of the garage door with a window and bricked up surround. The Council found the development acceptable in terms of design, neighbour impact and amenity space provision, and I share this assessment.

Conditions

11. In addition to the standard time limit, I have attached a condition specifying the approved drawings as this provides certainty. It is also appropriate to control materials to match the existing dwelling, in order to safeguard the character and appearance of the development and the area.

Conclusion

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

H Lock

INSPECTOR