



Appeal Decision

Site visit made on 15 March 2023

by Mr Kim Bennett BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2023

Appeal Ref: APP/E2205/D/22/3312472

78 Sir John Killick Road, Ashford, Kent TN23 3TF

- 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 E Armah against the decision of Ashford Borough Council.
 - The application PA/2022/2563, dated 28 September 2022, was refused by notice dated 30 November 2022.
 - The development is retrospective permission for insertion of garage doors to car barn – resubmission of 20/00400/AS.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: whether the development would place additional parking pressures on the surrounding highways; and the effect on the character and appearance of the area.

Reasons

3. The appeal property comprises a detached house on the north side of Sir John Killick Road where it backs on to a large area of woodland. It forms part of a recent phase of development to a much larger estate where considerable attention has clearly been given to the design and layout to form a very pleasing environment. Adjoining the property on its northern side is a private drive which leads to the property's double garage to the rear. This was apparently constructed as an open car barn with condition No 5 being imposed on the reserved matters application¹, to the effect that the car barn should not be altered by the addition of further doors without the prior permission of the Council. Notwithstanding this condition, at some point two wooden doors have been inserted at the front of the former car barn to form an enclosed garage, and the current appeal proposal seeks to retain these.
4. The Council advises that the reason for the condition was to retain the car barn for parking as opposed to alternative domestic storage which would then result in displacement of parking elsewhere or on to the highway. The Council advises that the background to this is found in its 'Residential Parking and Design Guidance' SPD which advised that there was strong evidence that many garages are used as non-vehicle stores. Such a view is consistent with advice

¹ Application Reference no 16/00808/As

found in 'Manual for Streets' as the appellant acknowledges. Consequently, the Council takes the view that free-standing and integral garages will not be taken into account as counting towards the required quantum of allocated parking space. In that respect, the Council advises that in accordance with its adopted parking standards, two on-site parking spaces would be required for a property of this size.

5. The appellant argues that there is general policy support in the National Planning Policy Framework (the Framework) for making optimal use of the potential for each site and for the efficient use of land. Specifically, it is further argued that there is no reason why the now enclosed garage should not continue to be used for parking simply because doors have been added.
6. However, it seems to me that the weight of evidence as set out in the SPD is to the contrary and that it is much more likely that the enclosed space be used for alternative storage or ancillary residential purposes than if it was open as a car barn. In that respect I noted that at the time of my site visit it was not being used for the parking of vehicles albeit that it was not actively being used for other storage. Although it is suggested that it would be difficult to use it for storage because there is only a single pedestrian door from the rear garden I do not agree and see no reason why that should be a particular deterrent to an alternative storage or ancillary residential use.
7. The appellant also argues that even if it was not used for parking, there is space on the forecourt in front of the garage to accommodate parked vehicles. From my site inspection that is clearly not the case however, with the depth of the forecourt being insufficient to accommodate a standard sized vehicle without encroaching on to the shared private drive, which would be undesirable. In passing I note that the garage opposite also has garage doors, but there is no evidence before me as to whether these are authorised or not.
8. Given the above, I agree with the Council that there would be a far greater likelihood of the car barn being used for non-vehicle storage because of the insertion of garage doors. In that scenario there would be no alternative but to park on the surrounding roads. That would be undesirable both from a highway point of view and for visual amenity reasons. In that respect I noted that similar open car barns are found elsewhere in this phase of the estate, together with open parking under first floor accommodation. Other than the garage opposite, I saw no examples in the immediate area where they had been enclosed. Whilst I acknowledge that each application has to be determined on its own merits, allowing the appeal for this development would make it difficult for the Council to resist further similar development where site considerations were the same. In this instance I regard that as a significant material consideration. The cumulative effect of that would add to further highway and visual amenity issues and would significantly detract from the quality of this well planned estate.
9. Although the appellant points to two detailed examples elsewhere of where car barns have been enclosed, there is no evidence before me as to the background to those decisions, the reasoning why permissions were granted and whether site conditions were the same. I also observed that on adjacent parts of the wider estate, as opposed to this phase of the development, the design considerations appear to have been different with some enclosed

garages being provided, but these were often set back on long forecourts where alternative on site parking was available.

10. Part of the reason to enclose the car barn with doors was apparently to provide additional security, given that beyond the garage to the north there are paths which lead through the woodland, and which are clearly well used for access and recreation. I also noted that there is no street lighting on the private drive. I am sympathetic to that issue and indeed there is policy support for prevention of crime in the Framework as the appellant points out. However, it seems to me that there are other measures available that could be considered to prevent potential crime, such as the use of home security cameras or security lighting, which may be just as effective. There is also no evidence before me that crime has actually been an issue to date in the immediate area, notwithstanding the concerns raised. In this instance therefore, I give greater weight to the implications of the garage being used for purposes other than parking, and the consequent adverse effects that would result.
11. Having regard to the above, the insertion of the garage doors is likely to lead to increase demand for on street parking on the public highway and adverse highway and visual amenity implications as a result. The development is therefore contrary to Policy TRA3a of the Ashford Local Plan 2030 and guidance within the SPD, in that there would not be a minimum of two on-site parking spaces which is the required standard for a property of this size.
12. Accordingly, the appeal should be dismissed.

Kim Bennett

INSPECTOR