



Appeal Decision

Site visit made on 20 March 2023

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2023

Appeal Ref: APP/E2001/W/22/3308568

9 Kestrel Drive, Bridlington YO16 6FF

- 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 A Dickinson against the decision of East Riding of Yorkshire Council.
 - The application Ref 22/00887/PLF, dated 9 March 2022, was approved on 7 September 2022 and planning permission was granted subject to conditions.
 - The development permitted is erection of a single storey detached self-contained annexe to rear.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall not be occupied until the additional parking space as indicated on drawing 2201B 5 received 6th July 2022 has been created. The parking area as annotated on drawing 2201B 5 shall thereafter be retained.
 - The reasons given for the condition is: This condition is imposed in accordance with Policy EC4 of the ERLP SD to ensure the increased demand for vehicle parking can be met within the application site to prevent vehicles parking within the highway Kestrel Drive which would result in highway safety concerns to the users of this highway.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In granting planning permission for a detached annexe to the rear, both parties agreed that this could result in an increased parking demand from the existing situation. The appellant considers that the parking demand could be met through the existing driveway and garage. However, the Council consider the garage to be too small to be practically used for parking.
3. As such, an amended plan was submitted by the appellant during the planning application process showing an additional parking space to the front. Planning permission was subsequently granted subject to this parking space being provided, and maintained, in accordance with that plan. However, the appellant continues to dispute the need for this additional space to the front and maintains that the garage is sufficient. This has informed the following main issue.

Main Issue

4. The main issue is whether the disputed condition (No 2) is reasonable and necessary in the interests of highway safety within Kestrel Drive with particular reference to off-street parking.

Reasons

5. The presence of a garage does not automatically mean that it is practically capable of being used for parking a car, and I am mindful that some older garages were not built with the range of modern car sizes in mind.
6. The appellant advises that the garage at the host property was built during the 1980's. It is small, and the Council indicate that the garage does not meet the space requirements set down within the Manual for Streets. The appellant has not disputed this, and I have no reason to consider otherwise. Moreover, I have no substantive evidence that the garage is capable of being used practically for parking a car. As such, I am not persuaded that this particular garage represents an appropriate off-street parking space.
7. There is a need for three car parking spaces associated with the proposed development and the existing dwelling. The existing driveway can provide two spaces. Given the width of Kestrel Drive, and the potential conflicts with other road users from indiscriminate parking along Kestrel Drive, it is necessary that the additional parking space is provided off-street.
8. As such, and given my findings on the garage, I find that the approved parking arrangements are reasonable and necessary in this instance to accord with the requirements of Policy EC4 of the East Riding Local Plan Strategy Document (2016). This says, amongst other things, that the number of parking spaces for all new development should reflect the expected car usage on the site.
9. I therefore conclude that the disputed condition (No 2) is reasonable and necessary in the interests of highway safety within Kestrel Drive with particular reference to off-street parking.
10. For the reasons given above, the appeal is dismissed.

Mr R Walker

INSPECTOR