



Appeal Decision

Site visit made on 19 April 2023

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 May 2023

Appeal Ref: APP/W4515/D/23/3316115

45 Waterloo Road, Wellfield, North Tyneside NE25 9JE

- 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 Paul Delaney of Ouseburn Property Developments against the decision of North Tyneside Council.
 - The application Ref 22/01967/FULH, dated 21 October 2022, was refused by notice dated 22 December 2022.
 - The development was initially described as '*1 storey extension to the rear of the property*'.
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Decision

1. The appeal is allowed, and planning permission is granted for single storey rear, side and front extension including 5 no. rooflights and a new pitched roof over porch at 45 Waterloo Road, Wellfield, North Tyneside NE25 9JE in accordance with the terms of the application, Ref 22/01967/FULH, dated 21 October 2022, and the plans submitted with it, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: TQRQM22297090943353; POD-P0008-100 Rev A00; POD-P0008-110 Rev A00; POD-0008-200 Rev A04; POD-0008-210 Rev A03.

Preliminary Matters

2. The application was originally made in the name of Paul Phelan of Ouseburn Property Developments. Since the determination of the application and the lodging of the appeal Paul Phelan has left the company. Although the appeal was made in the name of Mr Paul Phelan, it has been subsequently confirmed that it should proceed in the name of Mr Paul Delaney of Ouseburn Property Developments.
3. The Council, in their formal decision notice, describe the proposal as a '*single storey rear, side and front extension including 5 no. rooflights and a new pitched roof over porch*'. This description is also set out by the appellant on the appeal form. From the evidence before me, this appears to be a more accurate reflection of what is proposed and therefore I have dealt with the appeal on this basis.
4. On my site visit I observed that development had commenced, with an extension partially constructed. I have, however, dealt with the appeal on the basis of the plans before me.

Background and Main Issue

5. The proposal involves a single storey extension across the full width of the rear of the appeal property and a pitched roof side extension which extends forward of the front elevation of the property. The Council did not object to the part of the proposal which relates to the rear extension. The main issue, therefore, is the adequacy of parking provision with regard to highway safety.

Reasons

6. The appeal property is a 2-bedroomed semi-detached property on Waterloo Road, a residential street where the dwellings have particularly short front gardens. The pavement is segregated from the carriageway by a grass verge interspersed with trees. The Road is not subject to any formal parking restrictions.
7. Driveways on the Road are short meaning that vehicles are unable to be accommodated directly in front of garages without overhanging the driveway. On my site visit I observed that vehicles parked in some driveways were overhanging the pavement. Some properties have extended hard standings to accommodate vehicles at an angle across the front of the dwelling.
8. The proposal involves the conversion and enlargement of the existing garage at the appeal property. The enlargement of the converted garage would step forward of the main front elevation by approximately 1.3 metres, in line with the existing porch. The result would be that the driveway would be only 3.4 metres in length.
9. The Council's Transport and Highways Supplementary Planning Document 2022 (SPD) states that driveways (parking bays 90° to the carriageway) should be at least 5 metres. The SPD also states that 2 bedroomed properties are required to provide one parking space.
10. Although the proposal falls short of the Council's parking requirements in terms of perpendicular driveway length, the existing driveway also falls short of the required standard, as do most of the other driveways in the Road. The appellant states that the proposal would still allow a vehicle to be parked at an angle across the front of the property. From what I observed of other properties on the Road, I have no reason to dispute that this would not be possible in this instance. This provision would also be in line with the required parking provision for a property of this size.
11. Accordingly, I conclude that that the proposal would not have any adverse effect on highway safety. There would be no conflict with North Tyneside Local Plan Policy DM6.1 which seeks to ensure that new developments accommodate access for vehicles and an appropriate level of parking provision. Despite the technical breach of the SPD's guidance in respect of the driveway length, the site-specific circumstances of this appeal means that the scheme would still comply with the parking requirements set out in the SPD and the development plan as a whole. They would also be no conflict with the design aims or the highway safety considerations set out in the National Planning Policy Framework (the Framework).

Conditions

12. I have considered the Council's suggested conditions in the light of the Framework and the Planning Practice Guidance. As the development has commenced the standard time limit and matching materials conditions are not necessary, I have imposed a plans condition, which I consider reasonable and necessary in the interests of certainty.

Conclusion

13. For the reasons given above and having considered the development plan as a whole and all relevant material considerations, I conclude that the appeal should be allowed subject to the conditions set out above.

K L Robbie

INSPECTOR