



Appeal Decision

Site visit made on 23 May 2023

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th June 2023

Appeal Ref: APP/L3245/W/22/3313575

75 Thomas Penson Road, Gobowen SY11 3GW

- 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 Ms Melanie Duncan against the decision of Shropshire Council.
 - The application Ref 22/00608/FUL, dated 4 February 2022, was refused by notice dated 22 June 2022.
 - The development proposed is convert existing integral single garage into a bedroom with en suite. Brick up existing garage door and fit window. Render to match existing.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal makes adequate provision for off-road parking and the effect of any lack of provision on highway safety.

Reasons

3. The appeal property is an end of terrace which is in use as a House in Multiple Occupation (HMO) within a modern residential estate containing a variety of housing types that also include detached and semi-detached houses, and flats.
4. The Council have not advised me of any specific parking standards for HMO's. The appellant has, however, suggested that 0.5 parking spaces for each occupant is typical parking provision for such a use. In the absence of any compelling evidence that suggests otherwise, I consider such provision to be reasonable. Given that the proposal would result in the property accommodating 5 tenants, at least 2 parking spaces are required to meet such standards if the number is rounded down to the nearest whole, or 3 spaces if rounded up.
5. The appeal property currently has two parking spaces, within the driveway and garage. At the time the appeal was submitted, 2 of the 4 occupants had cars. The proposed conversion of the garage would result in the loss of that parking space and an increase in the number of tenants.
6. The parking provision plan, submitted as an appendix to the appellant's statement, appears to show a second parking space on the driveway to replace the garage space. Based on my observations on site it is apparent that the driveway could be widened and that there is sufficient width to accommodate a second car. However, the step to the front door encroaches into the limited distance between the front elevation of the property and the pavement. In the

absence of a plan that demonstrates otherwise, I am not convinced that a second car could park in front of the house without overhanging onto the pavement.

7. Therefore, the provision of a single onsite parking space as proposed would be below that required to accord with the typical parking provision for a 5-bedroom HMO, even when the number is rounded down.
8. Due to the position of driveways and parking spaces within the estate, there is limited opportunity to park on the street without obstructing the access to such off-street parking provision. Nonetheless, I observed some availability of on-street parking at the time of my morning site visit. In addition, the appellant's photographs also show on-street parking availability.
9. I have had regard to the concerns raised in third-party representations about the difficulties that arise from the current level of on-street parking in respect of access onto driveways and the movement of larger vehicles, including emergency service and refuse vehicles. Moreover, the photographs and my observations at the site visit are a snapshot in time outside of the peak parking period and do not equate to substantive evidence to quantify the existing parking demand and capacity in the road.
10. I recognise that the location of the site and its proximity to shops, facilities and public transport links, means there is potential for occupiers to not need their own cars. However, equally, the site has good road links that may be attractive to potential occupiers that own a car.
11. Whilst, at times, some residents of the HMO might not require access to a car, there is potential that, at times, all residents within the building might have access to a private car. Should this scenario occur, it would seem unlikely, based on my observations and the evidence before me, that all vehicles could be parked safely and appropriately within the estate in combination with cars associated with the other properties.
12. I recognise that the proposal only seeks an increase of 1 occupant within the HMO. However, the parking provision would reduce from that which is currently available. Should a number, or all, of the residents have a car, or the visitor levels by car increase, the limited amount of appropriate car spaces would encourage parking practices in opportune locations.
13. As a result, there is the potential for inappropriate parking, such as within dedicated turning areas, that could impede the turning and manoeuvring of vehicles and increase the likelihood that such vehicles would have to mount the kerb. Additionally, to provide sufficient space for other vehicles to pass, vehicles may park partially on the pavement, which may force pedestrians onto the road. This would adversely affect highway safety by creating vehicular and pedestrian conflict.
14. Consequently, the proposed development would not make adequate provision for off-road parking and so would harm highway safety. It would conflict with Policy CS6 of the Shropshire Council Adopted Core Strategy (2011) which seek to ensure that development is designed to a high quality, including appropriate car parking provision. It would also conflict with paragraph 111 of the National Planning Policy Framework 2021, as there would be an unacceptable impact on highway safety.

Other Matters

15. There is no dispute between the parties that the proposed alterations will be harmful to the character and appearance of the property or the wider residential estate. Based on my observations on site, I agree.
16. The appellant has referred to the proximity of the appeal site to local amenities and public transport, thereby minimising the need to use a car and contributing to the reduction of CO2 emissions in the area. Additionally, the proposal would provide additional affordable accommodation for working professionals. However, as set out above, there remains the potential for all residents to have access to a car. Taking that into consideration in addition to the small scale of the scheme the identified benefits do not outweigh the harm to highway safety that I have identified.

Conclusion

17. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
18. For the reasons given above the appeal should be dismissed.

Elaine Moulton

INSPECTOR