



Appeal Decision

Site visit made on 17 May 2023

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2023

Appeal Ref: APP/Y3940/D/22/3310615

1 Middlefield Road, Chippenham, Wiltshire SN14 6GY

- 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 Kerry Millar against the decision of Wiltshire Council.
 - The application Ref PL/2022/04131, dated 2 August 2022, was refused by notice dated 14 October 2022.
 - The development is the conversion of a freehold garage into a home office.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of a freehold garage into a home office at 1 Middlefield Road, Chippenham, Wiltshire SN14 6GY in accordance with the terms of the application, Ref PL/2022/04131, dated 2 August 2022, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Block Plan, Floor Plan, Garage front elevation, Garage rear elevation, Garage side elevation.

Preliminary Matters

2. The description provided on the application form includes a significant amount of detail. Whilst I have taken this information into account, I have adopted a shortened version of the description as set out above.
3. The evidence shows that the window and door to the garden elevation have already been inserted and the development has commenced. I have therefore considered the development on the basis that work has commenced but not yet completed.

Main Issue

4. The main issue is the effect of the proposal on highway safety, with particular regard to the provision of parking.

Reasons

5. Middlefield Road is part of a modern development comprising a variety of house types. The appeal site is one of a group of properties where parking provision is arranged around a rear parking court where some private garages have flats above them and where there are also uncovered parking spaces. Properties in the vicinity have allocated parking either on the plot or within a designated parking area in close proximity. There are single and double yellow lines on sections of Middlefield Road however some sections, and the roads

- which lead off it have unrestricted on street parking, despite driveway accesses limiting the number of cars which could be parked on these streets.
6. The appeal site benefits from a garage which is located at the rear of the garden, and a parking space in front of the garage. These are accessed from the parking court. The conversion of the garage would see the allocated parking for 1 Middlefield Road reduced from 2 spaces to 1.
 7. Core Policy 64 d) of the Wiltshire Core Strategy (WCS) (Adopted January 2015) sets out that residential car parking should be provided in line with minimum parking standards. These standards are set out in the Wiltshire Local Transport Plan 2011 – 2026 Car Parking Strategy (Adopted March 2011) (CPS). This states that a 4-bedroom dwelling such as the appeal property, should be provided with a minimum of 3 allocated parking spaces. The CPS states that based on surveys, anecdotal evidence, and public consultation the Council has decided not to include garages as part of the allocated parking provision except where there are overriding design considerations. Therefore, as a matter of fact the existing level of allocated parking for the appeal property does not conform to the requirements of the current local plan. However, the conversion of the garage would not impact on the number of allocated spaces attributed to this property and there are no design considerations identified to suggest that the CPS should be applied differently in relation to the consideration of the garage as a parking space.
 8. Moreover the appeal site is in an accessible location with bus stops and a foot/cycle path located a short walk away on the A420 (Bristol Road). In addition, there are facilities including a supermarket and medical centre within close proximity to the site. As such this is a sustainable location where opportunities to reduce the reliance on the private car are encouraged by the National Planning Policy Framework (the Framework) and Policies 60, 61 and 64 of the WCS. Therefore, although I have been provided with no figures in relation to car ownership locally, the appeal site is in a location which could support lower levels of car ownership and consequently, lower parking demand.
 9. Whilst the officer report states that the Councils highway engineers consider that there is already a high level of on street parking in the vicinity and have confirmed that there is a need to provide parking restrictions in this location to address indiscriminate parking and parking complaints, there is no evidence before me to demonstrate the extent or severity of any local problems which would warrant the dismissal of the appeal on highway safety grounds.
 10. I note the appellants comments that the garage has never been used for the storing of a car and I have no reason to question this. I also note that the development would result in a reduction in the availability of parking spaces for residents of the appeal site, although in the context of the CPS where garages are not counted as allocated provision the development would not alter the provision for the appeal site.
 11. The Council's Highway Engineer contends that to allow the appeal may set a precedent for similar applications. However, most dwellings in the area are not directly adjacent to the associated garage, and therefore the scope for directly comparable proposals appears limited. In any event, each application and appeal must be determined on its individual merits, and a generalised concern of this nature does not, in itself, justify withholding permission in this case.

12. The appellant has outlined the personal circumstances which have led to the application for the garage conversion relating to the need for a home office and separate bedroom provision for their growing family. However, these matters do not relate to highway safety and have not influenced my decision.
13. Overall, I conclude that the proposal would not result in an increased risk to highway safety through the parking of additional cars on the highway. Therefore, the proposal accords with Policies 57, 60, 61 and 64 of the WCS, the CPS and paragraphs 104 – 108 and 110 - 111 of the Framework. Collectively these seek to ensure that developments promote sustainable alternatives to the private car, provide appropriate levels of parking and do not result in an unacceptable impact on highway safety.
14. In reaching this conclusion I note that WCS Core Policy 64 is multifaceted in that it allows, amongst other things for reduced residential parking requirements where there are urban design or heritage issues, however these are not applicable here.

Conditions

15. The Council has provided a list of conditions, which I have assessed with regard to the advice provided in the Planning Practice Guidance. As the work has already commenced with the external changes involving the insertion of the new window, door and garage door, the 'commencement' and 'matching materials' conditions suggested by the Council are not necessary. Condition 1 is to provide certainty given that the development has commenced but is not yet complete.

Conclusion

16. For the reasons given above, I conclude that the proposal would accord with the development plan and the Framework, and therefore the appeal is allowed subject to the condition set out.

E Pickernell

INSPECTOR