



Appeal Decision

Site visit made on 28 June 2023

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2023

Appeal Ref: APP/Z1510/D/23/3318547

30 Rana Drive, Braintree, Essex CM7 2TD

- 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 Roy Galley against the decision of Braintree District Council.
 - The application Ref 22/03031/HH, dated 7 November 2022, was refused by notice dated 21 December 2022.
 - The development proposed is the erection of single storey extension to the front of a garage.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of single storey extension to the front of a garage at 30 Rana Drive, Braintree, Essex CM7 2TD in accordance with the terms of the application, Ref 22/03031/HH, dated 7 November 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; RCG-0101-01 Rev 0 and RCG-0101-02 Rev 1.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. For reasons of clarity, the description of development from the appeal form and the Council's decision notice has been adopted.

Main Issue

3. It is considered that the main issue is the effect of the proposed development on the safety of other highway users.

Reasons

4. The appeal property is a 2-storey detached dwelling fronting a turning head and has an integral single garage. The width of the opening for the garage door is around 2.2 metres. In front of the garage is a concrete surfaced driveway which can be used for off-street parking. The proposed development includes a front extension to the garage to enable its re-use as habitable accommodation associated with the domestic use of the property. To the side

of the front garden is another surfaced area where a small car was parked during the site visit.

5. Policy LLP 43 of the Braintree District Local Plan 2013-2033 (LP) refers to developments being required to provide vehicular and cycle parking in accordance with the Essex Vehicle Parking Standards. Although guidance and not policy, the *Parking Standards Design and Good Practice* published by the County Council identifies that for a 2+ bedroom dwelling 2 parking spaces are required. However, a garage of less than 7 metres by 3 metres measured internally is excluded from the provision.
6. In this case, the property's garage is below the minimum size and, as such, should not be counted as part of the property's parking provision. Accordingly, the loss of this undersized garage for other domestic accommodation would not represent a conflict with the *Parking Standard* and LP Policy LLP 43. However, the *Parking Standards* also include guidance that prior to any extension it must be demonstrated that adequate parking will be provided. It is especially important to ensure that there is adequate parking provision if there is a change of use from a garage into a habitable room for a residential dwelling.
7. By reason of the proposed extension, the concrete driveway would be reduced in length to circa 4 metres which would not be sufficient to enable a typical vehicle to be parked off-street without overhanging the footway. Accordingly, the property would only have 1 available off-street parking space rather than the 2 spaces required for a 2+ bedroom dwelling. Any second vehicle displaced from the shortened drive by the appeal scheme would have to be parked on-street.
8. Although the appellant has provided some information concerning parking along the road, no details about how the surveys were undertaken and the assumptions made about the location of the spaces have been provided. The appellant's surveys showed that there were several on-street spaces available. However, given the comments of a local resident, together with the concerns of the Council and the Highway Authority, an early morning site visit was undertaken to enable the on-street parking situation along this part of Rana Drive to be observed.
9. From what was observed there were only 2 vehicles parked along the road which is reflective of the appellant's surveys that on-street spaces are available. There were a significant number of other available locations to park on-street which did not compromise the safety of other highway users, including pedestrians walking along the various footways. These parking opportunities do not obstruct any crossovers or private drives providing access to neighbouring dwellings. Accordingly, although there would only be a single on-plot parking space, an adequate level of parking provision, as required by the *Parking Standards* for domestic extensions, would still be available because there would be the opportunity for a displaced vehicle to park safely on-street.
10. For the reasons given, it is concluded that the proposed development would not cause unacceptable danger to the safety of other highway users and, as such, it would not conflict with the guidance contained in the *Parking Standards* and LP Policy LLP 43.

Conditions

11. The Council has suggested several conditions in the event this appeal succeeds which have been assessed against the tests in the National Planning Policy Framework and the Planning Practice Guidance. For reasons of clarity, a condition is necessary to ensure the proposed development is undertaken in accordance with the approved drawings. To assimilate the proposed development into the streetscene, a condition is necessary for the use of external materials which match those of the host property. Accordingly, and for the reasons given, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR