



Appeal Decision

Site visit made on 13 November 2023

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2023

Appeal Ref: APP/M1595/W/23/3316287

36 High Street, Stanford Le Hope SS17 0HQ

- 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 P Grayer against the decision of Thurrock Borough Council.
 - The application Ref 21/01277/FUL, dated 19 July 2021, was refused by notice dated 21 October 2022.
 - The development proposed is the first floor rear extension to the existing property to provide 5 cycle only HMO rooms and kitchen space, with parking beneath for existing HMO rooms.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr P Grayer against Thurrock Borough Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposal on highway safety with regard to the parking and servicing provision.

Reasons

4. The appeal site comprises a two-storey building fronting High Street with a parking and service area to the rear accessed from King Street. The site is within the urban confines of Stanford Le Hope and is within very easy walking and cycling distance of the various retail, commercial and community services. In addition, there are bus stops adjacent to the site and the train station is within easy walking and cycling distance. Consequently, the appeal site is accessible by various sustainable modes of transport.
5. Development in the area typically adjoins the pavement with little off-street parking. On-street parking is restricted, including residential permit zones, within High Street, King Street and the surrounding roads, whilst there is a surface car park accessed from High Street. The area to the rear of the site is used for informal parking related to the commercial premises.
6. The proposal would extend the existing building to provide HMO accommodation at first floor level. The parking area and access would be retained to provide for cycle parking for the proposed HMO rooms, whilst the appellant states that three parking spaces would remain for the commercial premises. The development comprising the additional HMO rooms would be a car free development and would not be provided with any car parking spaces.

The site is in a highly accessible location where future occupants would not be reliant on private vehicles to access facilities and services and I acknowledge the environmental and health benefits associated with reduced car usage. However, there is no mechanism before me that secures and retains the scheme as car free development. It is likely that future occupants with cars would need to locate alternative parking spaces.

7. The location of both the cycle parking and, to a lesser degree, supporting columns for the first floor accommodation would limit how vehicles could park and manoeuvre within the site. The limited area of retained space together with the height limitation would impact on whether delivery vehicles serving the commercial premises could enter the site.
8. Vehicles exiting the site would likely need to do so in a reverse gear, which may result in the potential conflict with pedestrians and users. The access is located on one of the main routes into the town centre and is close to the busy junction with High Street. The poor layout would therefore increase the risk of harm to pedestrian and highway safety in the locality.
9. The poor layout of the retained spaces would lead to the displacement of vehicles onto the public highway where parking is restricted. Although there are on-street parking spaces in the locality, these are restricted and there is neither a dedicated loading bay nor a guarantee that spaces would be available when deliveries to the commercial premises are made.
10. I conclude that the proposal would harm highway safety as a result of the inadequate parking and servicing arrangements. The development would therefore fail to accord with Policy PMD8 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2015, which requires parking provision to be safe and of a high quality design and the National Planning Policy Framework, which requires safe and suitable access to be achieved for all users.

Planning Balance and Conclusion

11. The proposal would make a positive contribution to housing supply with associated social and economic benefits during the period of construction and once the HMO rooms are occupied. However, the contribution of five HMO rooms through a more efficient use of previously developed land in an urban area and the associated benefits are limited by the scale of development proposed, restricting the weight that can be attributed to this.
12. The Council does not raise concerns with the proposal in respect of other matters, including its design and sustainability credentials of the development, and I see no reason to disagree. However, the absence of harm is neutral in the planning balance.
13. The proposal would not accord with the development plan as a whole. There are no material considerations, which would indicate that a decision should be made otherwise than in accordance with the development plan. For the reasons given above I conclude that the appeal should be dismissed.

J Pearce

INSPECTOR