



Appeal Decision

Site visit made on 11 April 2024

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 April 2024

Appeal Ref: APP/W4515/D/24/3337719

35 Priory Avenue, Backworth, North Tyneside NE27 0XL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Laura Carrahar against the decision of North Tyneside Council.
 - The application Ref is 23/01204/FULH.
 - The development proposed is described on the planning application form as: "We would like to convert our integrated garage into a downstairs bedroom. Remove garage door, dig foundations at the front, fill foundations with concrete, build block wall, supply and fit anthracite window, render block work, self level garage floor, supply and fit 25mm kingspan insulation, supply and fit 22m wayroc flooring, build stud wall, insulate stud wall, plasterboard stud wall, supply and fit door from utility into living space, damp proof membrane outer wall, build studwork against outer wall, plasterboard outside wall, plaster all of new living space, supply and install 3 x double sockets, supply and fit light and switch to utility area, supply and fit radiator to living area. Knock through from hallway into living space, supply and fit lintel, plaster hallway."
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Decision

1. The appeal is allowed and planning permission is granted for development described on the planning application form as:
"We would like to convert our integrated garage into a downstairs bedroom. Remove garage door, dig foundations at the front, fill foundations with concrete, build block wall, supply and fit anthracite window, render block work, self level garage floor, supply and fit 25mm kingspan insulation, supply and fit 22m wayroc flooring, build stud wall, insulate stud wall, plasterboard stud wall, supply and fit door from utility into living space, damp proof membrane outer wall, build studwork against outer wall, plasterboard outside wall, plaster all of new living space, supply and install 3 x double sockets, supply and fit light and switch to utility area, supply and fit radiator to living area. Knock through from hallway into living space, supply and fit lintel, plaster hallway."
at 35 Priory Avenue, Backworth, North Tyneside NE27 0XL, in accordance with the terms of the application, Ref 23/01204/FULH, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan – Drawing No. 06

Existing & Proposed Front Ele's – Drawing No. 02

Proposed GF Plan – Drawing No. 03

Proposed Front Elevation – Drawing No. 04

Proposed Site Plan – Drawing No. 05

Main Issue

2. The main issue is the effect of the proposal on highway safety and the living conditions of the occupiers of neighbouring properties in relation to on-street parking in the area.

Reasons

3. The appeal site is a detached house forming part of a housing estate built in recent years. It currently includes an integrated single garage and a driveway that appears suitable to provide parking for 2 cars.
4. There are several visitor parking bays near to the front of the property on Priory Avenue, and to the side of the property on Backworth Park Drive. At the time of my visit the area appeared quiet. Although cars were parked on many of the driveways, none of the nearby visitor parking bays were occupied and I noted no cars parked elsewhere on the street in the immediate vicinity of the site. Although my observations were a snapshot in time, I have little evidence to suggest they represent an atypical scenario.
5. The 2022 Transport and Highways Supplementary Planning Document (the SPD) has been introduced since the property was granted consent. The SPD sets out expected levels of parking provision, which requires 3 parking spaces for 4-bedroom dwellings. This is reflected in the current provision of 2 driveway spaces and 1 garage space. Nevertheless, the SPD states that in areas with good accessibility, appropriate parking management and robust travel plan measures in place, a reduction in these requirements may be considered.
6. Although I am provided with limited evidence of any specific travel plans that apply to the site, it is in a reasonably accessible location with bus stops close by and a Tyne & Wear Metro station further away but still within walking distance. Despite noting no parking controls in the immediate area, my observations above suggest there is not currently a high level of demand that would necessitate this.
7. The appellant notes that they do not currently use the garage for parking and suggests this is also true of many neighbouring properties. Whilst I am not able to clarify this claim, residents will choose to use garages as they see fit. To my mind, it is highly probable that many garages in the area will be used for purposes other than parking. Particularly in the case of single garages such as those found at most dwellings in the area, using the garage for other purposes such as storage would generally leave limited reasonable prospect of it ever being used for parking, given the limited space available. In such cases, including the appellant's current situation, overflow parking would, in all likelihood, be accommodated in the visitor parking bays or on the street, and garage parking would not even be considered. Based on my observations above, I have no substantive evidence to suggest the current arrangement is causing harm to highway safety or the living conditions of occupiers in the area.

8. The Council has cited other streets in the area that suffer from parking issues due to previous, lower parking standards being applied. Although I was unable to locate the cited example of Beachborough Court, I visited the nearby example of White Swan Close on the day of my site visit. However, this was a much higher density development than the area of the appeal site, which is a spacious development of mainly detached houses. As such, this is of limited weight in my decision. Moreover, my observations on site suggest that, even if some overflow parking was to occur at the appeal site, this could be accommodated without causing harm to highway safety or the living conditions of neighbouring occupiers.
9. The Council suggests that the removal of the garage would also remove available space for cycle storage. However, the SPD notes that cycle storage should ideally be provided separately from the garage in the form of a suitable shed if space allows within the property boundary. Although I am not certain whether alternative cycle storage currently exists at the property, it features a spacious rear garden that is accessible via the side, where there is ample space for dedicated cycle storage. Accordingly, I am not persuaded the proposal would remove the availability for suitable cycle storage.
10. Although the Council is concerned that the proposal could set a precedent for future similar development, controls are in place to allow each case to be considered on its own merits, as I have with this case. I therefore give limited weight to this matter.
11. For the reasons given above, based on the available evidence and my observations at my visit, I conclude that the proposal would not result in harm to highway safety or the living conditions of the occupiers of neighbouring properties in relation to on-street parking in the area, and it would accord with Policies DM6.1 and DM6.2 of the North Tyneside Local Plan – Adopted July 2017. In respect of this issue, these policies require development proposals to demonstrate a design responsive to site orientation and existing buildings, to have a positive relationship to neighbouring buildings and spaces, to ensure sufficient car parking is well integrated into the layout, and to consider implications for amenity on adjacent properties and land.

Conditions

12. Conditions relating to the statutory time limit and a list of approved plans are necessary in the interests of certainty.

Conclusion

13. For the reasons given above, I conclude that the appeal should be allowed subject to the conditions listed in my formal decision.

P Storey

INSPECTOR