



Appeal Decision

Site visit made on 29 May 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13.06.2024

Appeal Ref: APP/J1535/D/24/3339334

17 Leaden Close, Loughton, Essex, IG10 3FF

- 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 Boyle against the decision of Epping Forest District Council.
 - The application Ref EPF/2510/23, dated 14 November 2023, was refused by notice dated 22 January 2024.
 - The development proposed is alterations to the existing vehicle canopy to create garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the layout of parking provision and highway safety.

Reasons

3. The appeal property is a linked, detached house within a densely developed residential estate. It has a recessed open fronted car port to the side which is attached to the neighbouring property at 18 Leaden Close. The properties along this part of Leaden Close are built tight to both sides of a short cul-de-sac stretch of shared pedestrian/vehicle surface, which terminates just beyond the appeal site. The proposal is to secure the front of the car port with a garage door.
4. According to undisputed information provided to me by the appellant, the Council's parking guidelines specify dimensions of 2.5m x 5m for a parking space and 3m x 7m for a garage space. The application drawings give a dimension of 9.5m from the rear of the car port to a line 900mm forward of the front elevation of the house and which aligns with a shallow open garden frontage at No 17. This falls short of providing space in accordance with the Council's standards for two cars to be parked in a tandem formation without encroaching into space to the front of No 17 that appeared to me to be part of the common shared surface. I have been provided with no information from the Council to advise what parking requirement is necessary for No 17 to satisfy their normal standards. Based on the information available to me, I take it that the current arrangement provides on site parking space for one vehicle.

5. The plans show that a depth of 3.95m would be retained in front of the garage door to the line 900mm in front of the house. This would provide an internal depth for the garage of around 5.55m. This would fall significantly short of the Council's normal requirement of 7m which is needed to accommodate a modern family-sized car and some storage. The appellant has argued that storage for the property normally associated with a garage space is housed in a timber rear garden shed, which I saw for myself during my visit. However, the long-term retention of this facility could not be guaranteed. Neither do I consider that it could be reasonably secured by means of a planning condition. The proposal would therefore fail to provide an adequate garage parking space in accordance with the Council's standards.
6. The depth of 3.95m in front of the garage door would fall short of providing the required depth of 5m for a parking space. A vehicle parked in front of the new garage would encroach into the shared pedestrian/vehicle surface in front of No 17 and immediately opposite 10 Leaden Close, to the side of which is an arched entrance/exit to a rear garage court.
7. The appellant has argued that they own only a modest sized car. Be that as it may, there would be no means as part of this appeal to control the future car ownership of any occupiers at No 17.
8. When all is considered, in order to maintain the existing level of parking at 17 Leaden Close, the proposed position of the garage door would force a car to encroach into a shared pedestrian/vehicle surface to a degree that would, in my judgement, inconvenience other users of this space and potentially lead to conflict between moving vehicles and pedestrians. This would be harmful to highway safety. As such there would be conflict with Policy T1 of the Epping Forest District Local Plan 2011-2033 Part One, adopted March 2023, as far as it requires development proposals to avoid compromising highway safety and to provide an appropriate parking layout. For the same reason there would be conflict with the National Planning Policy Framework as far as it requires development proposals to achieve safe and suitable access for all users.
9. I appreciate the appellant's desire to improve security within their home, but the means to achieve this by the proposal, as put forward, does not outweigh the harm that I have identified. Examples of other garages in the area that have been brought to my attention, and which I saw during my visit, do not compare with the circumstances or context of No 17, and do not alter my findings.

Conclusion

10. For the reasons given, I find that the proposal would result in an unacceptable parking layout that would be detrimental to highway safety. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR