



Appeal Decision

Site visit made on 24 September 2024

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2024

Appeal Ref: APP/W1525/D/24/3347152

6 John Eve Avenue, Springfield, Chelmsford, Essex, CM1 6DF

- 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 Melissa Parsons against the decision of Chelmsford City Council.
 - The application reference is 24/00583/FUL.
 - The development proposed is proposed garage conversion and relocated front car parking space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the impact of the proposal upon the character and appearance of the area.

Reasons

3. The appeal site is a terraced dwelling which faces a linear street, of relatively recent construction, which benefits from an existing driveway and garage. The host dwelling is noted to have been constructed as part of a wider mixed-use development that included residential development of up to 3600 dwellings. I also acknowledge that conditions were attached to the outline planning permission including provision and maintenance of off-site parking provision, arrangements within the plots and restriction on additional hardstanding as set out within the planning history provided by the Council.
4. The proposal seeks to reduce the existing area of front landscaped garden, to provide a third off-road parking space within the enlarged front driveway, to enable the double garage to be converted into habitable space with the existing garage door being altered to a ground floor window. As submitted the proposal would provide three parking spaces with the addition of planting beds to the retained corner along with an existing tree and existing grass area.
5. At the time of my site visit I found that the appeal site is one of a series of units repeated along the length of the street which share strong design characteristics as well as double length integral garages with terraces above. The existing soft landscaping, within the wider street scene, creates open and green streets that I note were design features embedded in the creation of the neighbourhood. It is a shared characteristic and purposeful layout as part of the garden community to provide notable soft landscaping and open, green, streets where views of dwellings are not dominated by cars to their frontage. The appeal site's current arrangement provides for two parking spaces within

the garage with space for a further two parking spaces on the driveway. The latter are one behind the other with the remainder of the frontage being soft landscaping allowing views of the front elevation within the street scene.

6. The dwelling, as a four-bedroom property, requires a minimum of three parking spaces in accordance with the parking standards developed for the garden community in question. Without the area of reduced landscaping, to relocate a parking space, the proposed garage conversion would result in a dwelling which would only benefit from two car parking spaces which, in turn, would be in contravention of parking standards for the area as the proposal would fail to be able to provide three parking spaces without the extension of the hardstanding to the property frontage.
7. I have no evidence before me that the proposal would result in a very tight parking arrangement on the property's frontage which would likely result in cars being parked on the road due to convenience nor that this would lead to on road parking or highway safety related issues. I understand, from signage within the general vicinity of the appeal site, that on street parking is, in any case, subject to resident's permits. I did not, at the time of my site visit, find that there was any particular pressure for on street parking nor any evidence of highway danger. Overall, I find no evidence that the proposal would create an unacceptable level of harm, or impact upon, highway safety nor flooding as a result of proposals utilising permeable hardstanding.
8. The appellant has provided an example of an application stated to have been approved at 8 John Eve Avenue (21/00391/FUL), however, I note that in comparison to the site, which is before me, this site forms part of a corner plot which is not comparable to the location of the appeal site being at the end. Despite this I find that the combined reduction in landscaping and increase in car parking to the frontage of 6 and 8 John Eve Avenue would cumulatively exacerbate the impacts I have identified being immediately next to each other.
9. Whilst it is stated that the adjacent property at 4 and 9 John Eve Avenue respectively have smaller landscaping areas, I do not find that this justifies the proposal which is before me as this is, ultimately, due to the fact the properties are closer to the highway meaning the landscaped areas are proportionate and related to the available frontage in question. 14 and 21 John Eve Avenue are stated to have the same parking layout, shown via a Google Street Images, but no evidence that this was formerly approved is provided and notwithstanding this, the properties appear to be detached dwellings with notably wider overall frontages and set back than the appeal site before me. I do not find that this has, therefore, resulted in an impact to the objectives of the originally approved landscaping and layout comparatively.
10. 28 John Eve Avenue is stated to have received permission, in July 2021, for a garage conversion, alterations to driveway and landscaping, however, other than a screen shot of a plan, no further details are submitted. This does, however, appear to be a corner plot again by comparison similar to that at 8 John Eve Avenue. Reference is also made to further applications, stated to be similar, within the borough including application 23/01430/FUL which is stated to have been allowed via appeal (APP/W1525/D/24/3337791) and whilst the decision letter has been included by appellant, I do not have any of the plans to understand the proposals upon which the Inspector made the comments included. I have considered the case before me on its own merits as set out.

11. Whilst I do not find that the proposal would warrant refusal as a result of highway safety, off road parking or flooding - I do find that the proposal would result in a car dominant frontage in the middle of a row of dwellings which is notably uniform in its layout and design to retain two parking spaces and associated landscaping with the landscaping, as approved, contributing to the character and appearance of the street scene. The proposal would result car dominated views of the host dwelling compared to the exiting parking layout to one side of the appeal site frontage only. I find this would be uncharacteristic and visually harmful taking into account specifically approved layout as part of the overall layout of the garden community.
12. The proposal would be contrary to Chelmsford Local Plan 2020 Policy DM23 which requires that development respects the character and appearance of the area in which it is located as well as being compatible with its surroundings having regard to landscape. The proposal would also be contrary to paragraph 105 of the National Planning Policy Framework 2023 which requires that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development as well as being visually attractive as a result of layout and appropriate and effective landscaping.

Conclusion

13. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR