



Appeal Decision

Site visit made on 5 November 2024

by N Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th December 2024

Appeal Ref: APP/K0235/W/24/3343361

59 Orchard Street, Kempston, Bedford, Beds. MK42 7JJ

- 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 Mr P Korakkutty against the decision of Bedford Borough Council.
 - The application Ref is 23/02769/FUL.
 - The development proposed is the subdivision of existing dwelling to form 2 flats.
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Decision

1. The appeal is allowed and planning permission is granted for the subdivision of existing dwelling to form 2 flats at 59 Orchard Street, Bedford, Beds. MK42 7JJ in accordance with the terms of the application, Ref 23/02769/FUL subject to the conditions in the attached schedule.

Preliminary Matters

2. The application form included reference to the application being a resubmission. However, as this is not an act of development, I have excluded reference to this in my formal decision here.
3. A Highways Statement was submitted with the appeal which included a swept path analysis for the front access and demonstration of visibility splays to the rear access. As the Council has commented upon this document, and having regard to the Wheatcroft principle, I have included it in my assessment here.

Main Issues

4. The main issues are whether the proposal provides adequate and satisfactory parking provision within the site to cater for the proposed development and whether such provision is necessary for the proposed development having regard to highway safety.

Reasons

5. The appeal proposal relates to the conversion of an existing detached home into two flats. The Council's supplementary guidance in the Bedford Borough Parking Standards for Sustainable Communities: Design and Good Practice 2014 (BPS) requires four vehicle spaces for the development. This breaks down to two parking spaces for the two bedroom flat, one space for the one bedroom flat and one visitor space.
6. Alterations to the front access (onto Orchard Street) would be unsatisfactory to the Highway Authority due (in summary) to the width of the vehicle access, lack of pedestrian access and manoeuvring of the second vehicle. The rear access (onto Sycamore Road) would be in a tandem arrangement, and,

therefore not suited to providing shared parking, but would otherwise be satisfactory.

7. The appellant has provided evidence relating to vehicle ownership in the area. This indicates that the occupants of the majority of one and two bedroom flats in the area do not own more than one vehicle. Therefore, whilst there is the possibility that the occupants of one or more of the flats could own more than one vehicle, this is unlikely in this context. Public transport provision is available within the area, although I accept that late evening and Sunday services are restricted. Nevertheless, such provision is normally available during most daytime periods.
8. On this basis, I find that three parking spaces, namely the two tandem parking spaces to the rear and a single parking space to the front would be sufficient to cater for the development. This would further allow for adequate pedestrian access to the front of the site and avoid the necessity to widen the front access.
9. With the revisions to the parking area, I conclude that the development would provide adequate parking for the proposed development, and this would be satisfactory in highway safety terms. The proposal therefore complies with policy 31 of the Bedford Borough Local Plan insofar as it would not have any significant adverse impact on access to the public highway.

Conditions

10. I have imposed the Council's recommended conditions with amendments and additions.
11. Condition 1 is a time limit condition to accord with the provisions of the Act. Condition 2 secures adherence to the approved plans in the interests of certainty.
12. Condition 3 requires details of a revised parking layout for the front access to be submitted to the Council. This is to reduce the vehicle parking provision from this access to one space in order to resolve concerns over vehicle manoeuvring and pedestrian access. The parties have been consulted on this condition.
13. Conditions 4, 5 and 6 require details of refuse storage, cycling parking and broadband internet connectivity to be provided and confirmed by the Council. This is to ensure adequate availability of these services to the future occupants.

Conclusion

14. The proposed development would provide sufficient parking provision for the scale of the development and the material considerations do not indicate that a decision should be made other than in accordance with it. For the reasons given above the appeal should be allowed.

N Bowden

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
2. The development hereby approved shall be carried out in accordance with the plans and documents listed on this decision notice, unless required by a separate planning condition of this permission.
3. Notwithstanding the details shown, prior to the commencement of development, amended plans shall be submitted to and approved in writing by the Local Planning Authority. Such plans shall show no more than one vehicle parking space and pedestrian access to be taken from Orchard Street. The development shall be implemented in accordance with those approved details prior to the initial occupation of the permitted dwellings and thereafter maintained for vehicle parking.
4. Notwithstanding the details shown, none of the new residential units shall be occupied until details of bin storage/collection point(s) have been submitted to and approved in writing by the Local Planning Authority. The storage areas and collection of bins shall be provided in accordance with the approved scheme prior to first occupation and thereafter retained.
5. The new dwellings shall not be occupied, until a scheme for Long Stay & Short Stay cycle parking (with access thereto) in accordance with Bedford Borough Council's Parking Standards for Sustainable Communities: Design and Good Practice 2014 has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the cycle parking areas shall not thereafter be used for any other purpose.
6. The new dwellings shall, upon first occupation, be served with an appropriate open access fibre optic infrastructure to enable high speed and reliable broadband connection unless evidence is submitted which demonstrates that providing the required infrastructure is not feasible or economically viable.

End of Schedule