



Appeal Decision

Site visit made on 22 June 2025

by **J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

an Inspector appointed by the Secretary of State.

Decision date: 08 July 2025

Appeal Ref: APP/P3040/D/25/3364455

1 Lea Court, Bingham Nottinghamshire NG13 8YG

- 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 Adam Barr against the decision of Rushcliffe Borough Council.
 - The application reference is 25/00260/FUL.
 - The development proposed is described on the Application Form as 'To convert a single-storey attached garage into an inhabited room (snug room) leaving the front of the garage as storage space.'
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Decision

1. The appeal is allowed and planning permission is granted to convert a single-storey attached garage into an inhabited room (snug room) leaving the front of the garage as storage space; at 1 Lea Court, Bingham Nottinghamshire NG13 8YG; in accordance with the terms of the application Ref: 25/00260/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three [3] years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - '1 Lea Court Garage Conversion Current and Proposed Floor Plans;
 - '1 Lea Court Garage Conversion Current and Proposed Front Elevation.'
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issue is the effect of the proposed development upon highway safety.

Reasons

3. The appeal site is part of a larger planned housing estate constructed at the beginning of the twenty-first century. The appeal site fronts Mill Hill Road which is one of the main estate roads which has cul-de-sacs leading from these with many of the dwellings having on-site parking and some dwellings having parking courts to the rear of dwellings. At the time of my visit near lunchtime, there were footpaths on both sides of Mill Hill Road, with adequate street lighting with the road restricted to the national speed limit of 30mph where vehicles appeared to be travelling at slow speed with the road due to its location not being a 'cut-through' and predominantly

for residential traffic that live in the locality. Mill Hill Road is relatively wide, with the ability to park vehicles without restriction on either side of the road. As many of the dwellings along Mill Hill Road have on-street parking and parking courts that were utilised, I did not experience what the Council describes as 'limited on-street parking' with there being a large amount of on-street parking spaces available. I did not experience any on-street parking problems or restrictions to the flow of traffic as a result of parked vehicles.

4. I appreciate that the road conditions I experienced on my site visit was only a snapshot of the road at this particular time, however I have also considered the evidence submitted by both main parties and, in light of this, I am satisfied that what I saw represents typical conditions. Based on what I saw on my site visit I deduce that Mill Hill Road operates satisfactorily without any significant safety issues. Whilst I have not been presented with any accident data, the absence of formal accident data does not in itself mean that accidents have not occurred, near misses, or indeed that a carriageway is 'safe.'
5. The parking for the appeal site is accessed from Lea Court which is a small no-through access road that leads to a parking court to the rear. It would appear that the dwellings in the parking court have allocated spaces for each dwelling, however there was some evidence of some of the residents parking indiscriminately within the parking court. The Appeal site parking is provided to the rear of a garage which adjoins the main dwelling but has its entrance door off the parking court, with a blank façade facing the street. According to the Appellant's Statement of Case, it is evident that the parking court could cater for 2 vehicles in tandem directly in front of the garage, and also 1 space within the garage for a relatively small vehicle.
6. I note discussion in the Council's Officer Report around the loss of vehicle space resulting in obstruction of footways, however it is unclear which footways would be obstructed that would interfere with highway safety. I agree that it would be possible to park two vehicles in tandem in front of the garage without detrimentally affecting the circulation space of the parking court area and allowing vehicles utilising the parking court to manoeuvre and exit in a forward direction which would also be in conformity with the Rushcliffe Residential Design Guide. Given the minimal use of on-street parking along Mill Hill Road, the addition of 1 displaced vehicle can be easily accommodated and not lead to on-street parking demands.
7. Taking the above into account, and in conclusion of this matter, the conversion of the garage which would lead to a loss of a parking space would not lead to a detrimental impact towards highway safety. As such, the proposal would be compliant with Rushcliffe Local Plan Part 2: Land and Planning Policies Policy 1 which seeks consideration around access and parking which meets standards and that does not cause detriment towards highways safety.

Conclusion and conditions

8. I conclude that the proposal is generally appropriate and would be compliant with the development plan on the basis of the reasons discussed and subject to the conditions listed at the beginning of this letter.
9. I have had regard to the context of the Framework and the National Planning Practice Guidance which advises that conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted,

enforceable, precise and reasonable in all other respects. The Council has forwarded a list of proposed conditions should the appeal be allowed.

10. Conditions 1 and 2 are standard conditions setting the standard time limit condition for the commencement of works; and the approved plans in the interests of proper planning and for the avoidance of doubt. Condition 3 is a standard condition that seeks that the conversion of the garage contain materials to match the existing, which is necessary for the proposed scheme to blend in with the character and appearance of the dwelling and the locality.

J Somers

INSPECTOR