



Appeal Decision

Site visit made on 12 December 2024 by S Indermaur

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 March 2026

Appeal Ref: APP/F0114/D/24/3347411

Three Ways, Station Road, Clutton, Bristol, Bath and East Somerset BS39 5PD

- 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 Dean against the decision of Bath and North East Somerset Council.
 - The application Ref is 24/00348/FUL.
 - The development proposed is demolish existing garage, enlarge existing hardstanding and alter existing vehicular access.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the parking provision for the proposed development would accord with the relevant policies of the development plan.

Reasons for the Recommendation

4. The appeal property is a modest, semi-detached bungalow. The dwelling is located within a corner plot which is sited at a junction, and the bungalow possesses two frontages, one onto Station Road and the other onto Venus Lane. Off street parking is accessed via Venus Lane and existing hardstanding is situated in front of a double garage, which is divided between the appellant and the adjacent neighbour.
5. Policy ST7 of the Bath and North East Somerset Local Plan - Partial Update [2023] (LP) identifies that the Council seeks to set limits on the provision of on-site parking provision to incentivise the public to travel using more sustainable means than the private car. To this end, the Council has adopted a Transport and Development SPD [2023] (the SPD) which employs maximum parking standards based on the location of the site with those sites in the most accessible locations having the greatest restriction placed on new parking provision. The Council explains that the objective of this approach is to deliver more sustainable travel habits.
6. The SPD defines four zones ranging from Bath city centre (Zone A) to the most rural locations (Zone D). The Council identify the site to be located within parking Zone D, which is the most generous regarding the maximum level of parking

provision, and I see no reason to disagree with this assessment. In this area, the standard sets a maximum of 1 space for a one bed dwelling, 2 spaces for two and three bed dwellings, and 3 spaces for a four-bed dwelling or greater.

7. The Council has estimated that the property possesses either one or two bedrooms, and this assertion has neither been clarified nor contested by the appellant. On this basis, even if the conclusion was that the property was at the greater end of the estimate, a maximum of 2 spaces would be accord with the LP & SDP. The provision of 4 spaces as proposed would significantly exceed the maximum standard and would clearly conflict with the sustainable travel objectives of the development plan as determined by the policy and SPD.
8. The appellant has contested the validity of the Council's approach in assessing the proposal against the development plan, with a particular focus on whether the proposal amounts to 'development' and the consequent applicability of the policy, as well as a contention that the demonstration of the layout of the 4 parking spaces on the proposed site layout plan should have been regarded as indicative only.
9. I am mindful that section 55(1) of the Town and Country Planning Act 1990 (The Act) sets out the meaning of "development" as being the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. In this regard, I am satisfied that the proposal as described and applied for would fall within the reasonable interpretation of development as defined within The Act.
10. I note that Policy ST7 does not specify that it is only of relevance for new dwellings and part 4) of the policy is quite clear that car parking provision needs to be provided at a level appropriate to reduce the convenience of unnecessary car usage. The appeal proposal does not meet this standard, and I do not agree that there has been a misapplication of Policy ST7 as a result.
11. Turning to the submitted parking layout, there is no annotation or detail on the Site Layout Plan to support the contention that the parking layout should be regarded as indicative only. It has not been treated as such by the Council and based on the evidence placed before me, there was no indication made by the appellant at the time of submission of the planning application that the appellant expected the layout to be regarded in this way. In fact, and to the contrary, the planning application forms are explicit that the off street parking spaces are to be increased from 1 to 4, and it is the overall increase in parking which is the crux of this appeal. The Council quite reasonably assessed the plan as providing full details of the layout and I see no reason to depart from this conclusion.
12. For the reasons detailed above, the proposal would cause harm to sustainable transport objectives. As such the proposal would conflict with LP Policy ST7 which seeks to ensure the delivery of more sustainable travel habits through development proposals. The proposal would also conflict with the guidance set out within the SPD which seeks to reduce the convenience of private vehicles and make sustainable transport a more attractive choice.

Other Matters

13. I am mindful that several objections have been raised by interested parties to the appeal proposal addressing various issues, including in respect of land stability, impact on a public sewer, the potential for damage and disturbance during the

construction period, and the possibility of further future development. However, because of my findings on the main issue, these are not matters on which I have needed to draw any specific conclusions as they have not proved to be determinative in this instance.

Conclusion and Recommendation

14. The proposal would not accord with the development plan and there are no material considerations that justify granting permission. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Indermaur

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR