



Appeal Decision

Site visit made on 14 February 2022

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st February 2022

Appeal Ref: APP/V2255/D/21/3277043

1 Ashberry Close, Faversham, Kent ME13 8FZ

- 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 Joseph Hawkes against the decision of Swale Borough Council.
 - The application Ref 21/500182/FULL, dated 12 January 2021, was refused by notice dated 26 March 2021.
 - The development proposed is alterations to existing carport to create storage area.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner above is taken from the Council's decision notice. It is more precise than that used in the application form and omits wording relating to the merits of the case.
3. At the date of the application, and as I saw at my site visit, the development had already been carried out.

Main Issue

4. The main issue is the effect of the development on the provision of car parking at the appeal property and highway safety.

Reasons

5. The appeal property is a detached three-bedroom house. It is part of a mixed use development still under construction, including for 196 dwellings. As originally permitted and built, it had two off-street car parking spaces — a car port and in front a paved hardstanding in tandem layout, accessed directly off a main estate spine road. This was typical of parking arrangements at similar houses fronting the spine road, all subject to a condition that these spaces shall be retained¹. The car port has been enclosed with permanent elevations, including French doors at the front (the development). It can no longer be used as a parking space and has the appearance of a side extension.
6. One car parked off-street on the hardstanding may meet the appellant's personal preferences or requirements. However, planning operates in the wider public interest. The National Planning Policy Framework (the Framework) states that parking is integral to the design of schemes and contributes to making

¹ Condition 17 of 18/501048/REM

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high quality places. Furthermore, that development should function well, not just for the short term but over its lifetime and respond to local design standards, in this case for parking provision. Whether taken at the time planning permission was granted², or now³, the Council's parking standards require two off-street car parking spaces for this size of house. Accordingly, there is a significant deficiency (50% reduction) in off-street parking at the appeal property.

7. There was no permanent parking in the spine road at the time of my visit, albeit a snap-shot in time. The appellant suggests that the absence of on-street parking restrictions, such as resident permits or a controlled parking zone, means there is no parking stress in the area. However, the mixed use development is not yet complete and, moreover, the houses already built have sufficient available off-street parking provision, which I saw was well used. Inadequate off-street parking at the appeal property, albeit by one space, is likely to result in permanent parking in the spine road or overspill parking in the side road residential cul-de-sacs or in visitor parking lay-bys. This would cause unnecessary street clutter, unduly restrict the free flow of traffic and would not minimise the scope for conflict between pedestrians, cyclists and vehicles, at odds with these objectives of the Framework. On-street parking would not, therefore, provide a satisfactory substitute for insufficient off-street parking at the appeal property.
8. The acceptable appearance of the development does not address the loss of a parking space and domestic storage needs could be conveniently met in the rear garden with a shed or other outbuilding. As in this appeal, each case must be considered on its individual planning merits. Nevertheless, there are a large number of similar houses and car ports in the immediate vicinity. There is, therefore, a realistic prospect that granting planning permission for the development would set an undesirable precedent. It could make it difficult for the Council, or another Inspector, to resist similar development being repeated elsewhere with potential cumulative adverse impacts.
9. Taking all of the above into account, I find that the development has an undesirable effect on the provision of car parking at the appeal property and an unacceptable impact on highway safety. It conflicts with the Council's development plan⁴ Policies DM7 and DM14. These include that parking standards should take account of the type and size of dwellings and needs of visitors, with appropriate parking provision integrated into layouts. Development should conserve the built environment, achieve safe vehicular access and provide convenient routes for pedestrians and cyclists. The development also conflicts with the Framework.

Conclusion

10. For the reasons given above, I conclude that the appeal should not succeed.

Robin Buchanan

INSPECTOR

² Kent County Council Interim Guidance Note 3 Residential Parking, November 2008

³ Parking Standards supplementary planning document, April 2020

⁴ Swale Borough Local Plan, July 2017