



Appeal Decision

Site visit made on 2 September 2022

by **Gary Deane BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th September 2022

Appeal Ref: APP/C1950/D/22/3302120

49 Mulberry Mead, Hatfield AL10 9EH

- 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 Cassiem Jeppe against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2022/0758/HOUSE, dated 29 March 2022, was refused by notice dated 24 May 2022.
 - The development proposed is a garage conversion, single storey side and front extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a garage conversion, single storey side and front extension at 49 Mulberry Mead, Hatfield AL10 9EH in accordance with the terms of the application Ref 6/2022/0758/HOUSE, dated 29 March 2022, subject to the conditions set out in the schedule to this decision.

Main issue

2. The main issue is the effect of the parking provision associated with the proposed development on the safety and convenience of road and footway users and the character and appearance of the local area.

Reasons

3. The appeal property is a 2-storey end terrace dwelling within a modern style housing estate wherein off-street parking for vehicles includes driveways and garages. The proposal is to convert and enlarge the garage at the side of No 49 to provide additional accommodation. A small extension at the front of the dwelling is also sought to enclose the open-sided porch.
4. The Council considers that 3 off-street parking spaces should be provided to serve the completed house. In support of this approach, reference is made to Policy M14 of the Welwyn Hatfield District Plan 2005 (LP) and the Council's Supplementary Planning Guidance, *Parking Standards* (SPG). The SPG requires 3 off-street parking spaces to be provided for a dwelling with 4 or more bedrooms in this location. As the plans show that a single off-street parking space would be provided on site, the proposal would fall short of this requirement by 2 spaces.
5. The Council, however, acknowledges that LP Policy M14 and the guidance within the SPG, which are expressed as maximum standards, are not

consistent with the policies of the National Planning Policy Framework (the Framework). The Council's Interim Policy for Car Parking Standards and Garage Sizes (IP) also indicates that the car parking standards in the SPG should be treated as guidelines rather than maximums. The IP notes that parking provision should be assessed on a case-by-case basis to achieve a sensible level of provision. This approach indicates that at least some flexibility can be applied to the assessment of vehicle parking provision to reflect local circumstances, amongst other things.

6. In this case, the Council accepts that the size of the existing garage does not meet the minimum dimensions set out in the IP. While the garage would be suitable to park a small car, it would be too narrow and short to accommodate most family sized vehicles particularly taking into account the space needed within the building to open a car door and for a person to enter and exit the vehicle. In those circumstances, most drivers of larger vehicles would alternatively choose to park on the road if the driveway of No 49 was already occupied. I, therefore, share the appellant's view that the existing garage does not realistically form a useable parking space for most vehicles. Similarly, there would be insufficient space within the converted garage/utility room, as proposed, to park most vehicles. Consequently, the off-street parking arrangement to serve No 49, which is primarily a single space on the driveway, would not significantly change if appeal scheme were to proceed.
7. The plans show that the appeal dwelling would remain as a 3-bedroom house, which the appellant has also confirmed in writing. Even so, the proposal could result in a fourth bedroom, as the Council suggests. If that were to be the case, the appeal scheme might increase the demand for on-street parking with up to 2 extra vehicles being parked on the highway. It would do so in an area that is defined as Zone 4 in the SPG, wherein public transport, local shops and the town centre are mostly not within convenient walking distance.
8. From what I saw, there are no parking restrictions outside the site. At the time of the site visit, there were plenty of parking spaces available within bays at the side of the carriageway and along the kerb although this was only a snapshot in time. If no parking space were available on-site, it is possible that a driver could decide to park inconsiderately, illegally, or obstructively on the adjacent highway. Reference is made to vehicle parking hampering the safe use of footways. However, I saw no instances of such behaviour during my site visit nor have any examples of such problems been drawn to my attention.
9. I observed no evidence of the local streets, some of which are narrow with a tight highway geometry, being cluttered with moving or parked cars nor am I persuaded that the proposal, if allowed, would set a precedent for similar proposals elsewhere that in turn would lead to such conditions. Therefore, I find no convincing evidence that the proposal would lead to a car dominated residential environment nor is there any compelling evidence that the proposal would limit the ability of others to park on the highway safely and conveniently.
10. The Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. None of these circumstances would arise in this case.
11. On the main issue, I therefore conclude that the parking provision associated with the proposed development would not cause harm to the safety and

convenience of road and footway users or the character and appearance of the local area. It does not conflict with LP Policies D1, D2 and M14, the Council's Supplementary Design Guidance, the SPG or the Framework. These policies and guidance aim to ensure that development achieves a high standard of design and creates places that minimise conflict between road users, avoids unnecessary street clutter and responds to local character.

12. The Council raises no objection to the proposed front extension. This element of the appeal scheme would be appropriate in design and appearance, with no discernable effect on the street scene or the local area. The visual character of the host building and those nearby would be respected.

Conditions

13. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials match those of the existing building.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs JEP.NOV.21F page 1 of 2, JEP.NOV.21F page 2 of 2 and the Site Location Plan, which shows the site edged red.
- 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.