
Appeal Decision

Site visit made on 22 September 2015

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 October 2015

Appeal Ref: APP/J1535/W/15/3027904

47A Theydon Park Road, Theydon Bois, Epping, Essex CM16 7LR

- 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 Sarah Turner against the decision of Epping Forest District Council.
 - The application Ref EPF/0180/15, dated 21 November 2014, was refused by notice dated 18 March 2015.
 - The development proposed is demolition of existing two storey dwellinghouse and construction of a new two storey building, with accommodation in the roof, to provide 5 x 2 bedroom apartments, plus associated car and cycle parking.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Sarah Turner against Epping Forest District Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue in this case is the effect of the proposed parking arrangements on the efficient operation of Theydon Park Road and the character and appearance of the area.

Reasons

4. Policy ST6 of the Epping Forest District Local Plan 1998 with Alterations 2006 (LP) requires on-site car parking to be provided in accordance with the adopted 2001 standards or successor documents. The current Parking Standards (Essex County Council 2009) require flats or houses with two bedrooms or more to have two parking spaces. This indicates that the proposed development should have 10 spaces. The proposal is for five parking spaces.
5. Paragraph 2.5.1 of the Standards does allow for a relaxation of the requirement in main urban areas having frequent and extensive public transport and cycling and walking links. I recognise that the appeal site is within walking distance of the facilities in the centre of Theydon Bois and the underground station. However, the location does not amount to a main urban area where a high level of accessibility may lead to a demonstrably lower level of average car ownership among occupants of the proposed flats and, in turn,

- justify a significant reduction in the number of the parking spaces normally required.
6. Section 3.2 of the Standards advises that the preferred bay size is 5.5m by 2.9m. The proposed spaces would be 5m by 2.5m which is the minimum size set out in the Standards and which should only be used in exceptional circumstances. No such circumstances have been advanced in this case. The area available for parking is confined by site boundaries and a footpath. As such, any cars which are not parked accurately within the minimum sized spaces would likely inhibit the use of the adjoining space. Together with the shortfall in the total number of spaces provided therefore, I consider that the proposal is likely to lead to on-street parking and difficulties for vehicles manoeuvring into and out of the site.
 7. Although Theydon Park Road is subject to parking restrictions, they only apply between the hours of 1000 and 1100 and would not prevent on street parking at other times. Whilst the road is not heavily trafficked, it is free flowing and has little on-street car parking. Consequently, the additional on-street parking and conflicting vehicle movements likely to arise from the proposal would lead to a reduction in the efficient operation of Theydon Park Road. The proposal would not, therefore, comply with policy ST6 of the LP.
 8. The site is located in an area of mainly detached dwellings set behind reasonably generous front gardens which are enclosed by a mix of planting and low walls. The area, therefore, has a relaxed, suburban character which contributes positively to local distinctiveness.
 9. The appeal property is a detached two storey dwelling with an integral garage and parking in the front forecourt. It is, therefore typical of the properties in the area. The proposed building would be positioned slightly further back from the road frontage to allow for the provision of the parking spaces in the forecourt.
 10. The proposed parking and access area would take up the greatest part of the area in front of the proposed building. Whilst a narrow area would be retained along the site's northern boundary, much of this would be used to store refuse and recycling bins. The planting area immediately in front of the proposed building would help to soften views of the building itself, but would do little to screen views of the car parking from the street. There would be no space for planting between the car parking area and the front boundary of the site. Therefore, although a condition could be used to secure details of hard and soft landscaping, I consider that proposed site layout provides insufficient space for an effective planting scheme.
 11. I recognise that some other properties in the area have extensive areas of hard standing in the front forecourt. However, few have as little planting as would the appeal proposal. Moreover, the other properties appear to be predominately single household dwellings and, therefore, the parking areas are not used as intensively as would be the appeal proposal, particularly given the shortfall in the number of spaces proposed to be provided.
 12. Therefore, I find that the proposed parking arrangements would dominate the front of the site and lead to unwelcome on street parking. As a result, the site and adjoining road would take on a stark and urban appearance which would be out of keeping with its surroundings. Consequently, the proposal would

have a harmful effect on the character and appearance of the area. It would conflict with LP policy DBE6 which presumes against residential proposals where car parking dominates the street scene.

Other Matters

13. The appellant has referred to the London Plan and to Transport for London's Public Transport Accessibility Level indicators. However, the appeal site does not fall within the administrative area of the Mayor for London and, therefore, these provisions are not applicable. Reference is also made to the East of England Spatial Strategy. However, this plan is no longer in force.
14. The appellant contends that the Council cannot demonstrate a five year supply of deliverable housing land and therefore, in accordance with paragraph 49 of the National Planning Policy Framework (the Framework), relevant policies for the supply of housing should not be considered up to date. No detailed information on the housing land supply position in the District has been submitted. In any event, the development plan policies on which I have relied are not for the supply of housing and there is no firm evidence to indicate that they are in conflict with the Framework.
15. Whilst the Framework does support sustainable housing development on previously developed land, in this case the proposal conflicts with relevant development plan policies and the concerns set out above outweigh the benefits of the provision of four additional units.
16. My attention has been drawn to an appeal decision for the conversion of an existing house into flats at Greenview (appeal ref APP/J1535/A/13/2207004) which, the appellant argues, sets a precedent for the appeal proposal. The main issue in that scheme concerned affordable housing. Nevertheless, 12 on-site parking spaces were proposed for six two bedroom flats in a location which the appellant considers sustainable. As such, the number of spaces proposed appears to comply with the requirements of LP policy ST6 and the current Parking Standards. Therefore, whilst each proposal must be considered on its merits, I am not persuaded that the Greenview decision supports the amount of parking proposed in this appeal.
17. The appellant has raised concerns regarding the Council's handling of an earlier application (application ref EPF/2751/14) and points out that the application which is the subject of this appeal was recommended for approval by the Council's planning officer. However, I have dealt with the current proposal purely on its planning merits.
18. I have had regard to the other concerns expressed locally, but none has led me to a different overall conclusion.

Conclusion

19. For the reasons set out above, the appeal should be dismissed.

Simon Warder

INSPECTOR