



The Planning
Inspectorate

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The Council Offices
Duttons Road
Romsey
Hampshire
SO51 8XG

Our Ref:

APP/C1760/A/10/2134116/NWF

Date:

26 November 2010

Dear Madam

**Town and Country Planning Act 1990
Appeal by Abbotswood Consortium
Site at Land At Abbotswood, Cupernham Lane, Romsey**

I enclose a copy of our Inspector's decision on the above appeal.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at www.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm. This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 0207 947 6655.

Yours sincerely

Attila Borsos

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You can use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcsportal/casearch.asp> You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button



Appeal Decision

Site visit made on 1 November 2010

by Graham Dudley BA (Hons) Arch Dip Cons AA RIBA FRICS

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

Decision date: 26 November 2010

Appeal Ref: APP/C1760/A/10/2134116

Land at Abbotswood, Cupernham Lane, Romsey, Hants

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Abbotswood Consortium against the decision of Test Valley Borough Council.
 - The application Ref 10/01020/VARS, dated 5 May 2010, was refused by notice dated 4 August 2010.
 - The application sought outline planning permission for 800 dwellings with associated local centre comprising convenience store, five shops, public house, community hall, doctors/dentists surgery, 'full day' nursery, office units, 60 bed care/nursing home with associated parking and a recycling centre; informal and formal open space; area for nature conservation; landscaping; on-site drainage; and full details of vehicular access to Braishfield Road, Sandy Lane and 'bus only link' to Woodley Lane, without complying with a condition attached to planning permission Ref 08/00475/OUTS, dated 5 January 2010.
 - The condition in dispute is No 37 which states that: any single garage on the site shall measure a minimum of 3mx6m internally and be constructed as such, unless the proposed residential property is also served by at least a separate bicycle shed, in which case any single garage shall measure a minimum of 3mx5m internally. Any garage on the site shall be made available for parking of motor vehicles at all times.
 - The reason given for the condition is: In the interests of highway safety in accordance with Test Valley Borough Local Plan Policy TRA02.
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Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is the effect on highway safety.

Reasons

3. The development plan includes the Test Valley Borough Council Local Plan [LP]. LP Policy TRA02 notes that development will be required to provide, amongst other things, parking for cycles and cars in accordance with its standards. LP Policy TRA06 notes that development will not be permitted unless the internal layout of the site is safe, attractive and functional for all highway users. LP Policy TRA09 notes that development will be permitted provided it does not have an adverse impact on the function, safety and character of the highway network. The proposed variation would only affect the width of the garages.

4. The local planning authority identify that there is considerable car ownership in the area and that in other parts of Romsey there have been significant problems related to on-street parking. In answer to questions from the council, residents identified size of garages as one of the reasons that they were not used, which in my opinion is likely to be a factor. While I acknowledge that on-street parking can be controlled by parking restrictions, it is more appropriate to ensure that the arrangement of off-street parking is user friendly and avoids the need to fall back on parking restrictions. While the area where difficulties have occurred is closer to the town centre, with possible use by shoppers etc, parking requirements for those houses should not be significantly different, with if anything, perhaps less car ownership nearer the town, because of the ability to easily walk to many of the local services and facilities.
5. I consider that it is appropriate and reasonable to require off-street parking in accordance with the council's standards. While I accept that the garage forecourt would allow parking of one car off-street, where the garage provides a parking space as part of the standard, the design should be one that will be likely to ensure its use.
6. While I accept that a garage of the width proposed by the appellant would enable a car to be parked, it is relatively narrow and makes it more difficult to get in and out of the car. I have taken into consideration another inspectors' views, but I note in a decision identified by the appellant that where a smaller garage (referring to a width of 2.4m not 2.5m as in this case) was considered, the inspector noted the garage was capable of accommodating a car, but that the situation there was not necessarily ideal. However, it was not so 'substandard' in size to preclude use completely. This indicates to me that it was not considered to be easily usable and not of a size that would encourage use.
7. I accept that the dimensions noted in the council's appendix are only recommended. However, given the car ownership and problems that on-street parking is causing in other areas, the reduced width of the garages proposed would be likely to lead to significantly greater levels of on-street parking. This is likely to unacceptably affect road safety, even in areas of 20 or 30 mph speed restrictions. I consider that the condition is reasonable and necessary in relation to highway safety and that the proposal to vary it would conflict with the aims and objectives of LP Policies TRA02, TRA06 and TRA09.
8. I accept that some on-street parking could provide traffic calming and some benefit in terms of activity and security. I also acknowledge that wider garages will, over the whole development, require a significant amount of space. However, the advantages of on-street parking and effect on space are not, in my opinion, sufficient to overcome the harm identified.
9. The condition is precise in identifying that the garages on the site shall be made available for parking of motor vehicles at all times. While this will not enable the local planning authority to force the garages to be used for parking, the fact that they must be kept available for parking will encourage use. If there were to be an on-street parking problem in the area, it would be a straight forward matter to identify if a garage is available for parking and I therefore consider that the condition is enforceable.

Conclusion

10. For the reasons given above, taking into account all matters raised, I conclude that the appeal should be dismissed.

Graham Dudley