

10. FULL APPLICATION – USE OF GARAGE FOR INCIDENTAL RESIDENTIAL USE AND PARKING OF VEHICLES AT 26 SWIFT CLOSE, BRADWELL (NP/DDD/0226/0202, KF)

APPLICANT: MR MARK BOWMAN

Summary

1. This application seeks planning permission to use the integrated garage at 26 Swift Close for a mix of incidental use associated with the dwelling as well as the parking of vehicles.
2. A Planning Enquiry was submitted in November 2025 for advice regarding internal changes to the garage. Officers advised that the property was subject to a planning condition restricting the use of the garage and driveway for the parking of motor vehicles only and for no other purpose.
3. The proposal would result in the loss of a vehicular parking space. This would be in conflict with Bradwell Neighbourhood Plan policy T2.
4. The applicant has submitted additional information, and has demonstrated to Officers satisfaction that the loss of 1 vehicular parking space serving 26 Swift Close would not have an unacceptable impact on parking provision, highway safety or residential amenity.
5. Officers consider that the lack of identified harm from the proposed development is a material planning consideration which should be afforded significant weight. It is the view of Officers that this material planning consideration outweighs the conflict with the development plan.
6. The application is recommended for approval on this basis.

Site and Surroundings

7. The application relates to a two-storey, terraced property in the eastern edge of the Bradwell Springs in the north of Bradwell.
8. The property is part of a large residential development which is formed of a mix of 2-, 3- and 4-bedroom dwellings. No. 26 Swift Close is a 3-bedroom house.
9. The application site currently has 3 parking spaces available; 1 space in the garage and 2 on the driveway.

Proposal

10. The use of part of the garage for incidental domestic purposes as well as the parking of vehicles.
11. No alterations to the site or building are proposed.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. The development hereby permitted shall be begun within 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with submitted plans and specifications subject to the following conditions:

3. **The car parking spaces shall be kept available for the parking of motor vehicles at all times. The car spaces shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose.**

Key Issues

12. Principle of the development;
13. Impact upon parking provision and highway safety

History

14. PE\2025\ENQ\53175: Enquiry for the potential change of use of existing garage; half the space for a garage and the remaining space for normal domestic additional purposes. Advised of planning condition restricting use of the garage for parking.
15. NP/DDD/1119/1232: S.73 application for the removal or variation of conditions 2, 11, 28, 49, 53, 54, 55, 57 on NP/DDD/0815/0779 for Demolition of existing industrial buildings, development of 55 dwellings (C3), erection of 6 industrial starter units (B1), car parking, landscaping and drainage attenuation with access from Netherside (starter units) and Bradwell Head Road (residential) – Granted conditionally. Included the following condition:

The garage / car parking spaces shall be kept available for the parking of motor vehicles at all times. The garage / car spaces shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 the garage accommodation/ parking space to be provided in connection with the development shall not be used other than for the above stated purpose except with the prior permission of the National Park Authority granted on an application made in that regard.

Consultations

16. Derbyshire County Council (Highways): Recommend deferral pending additional information.
17. Requested information was submitted, but no further response has been received to date.
18. Bradwell Parish Council: Object, on the grounds that the development would result in the loss of 1 parking space, and would therefore violate Bradwell Neighbourhood Policy T2, which states that; "The removal of any current car parking facilities, both public and private, will be strongly opposed".

Representations

19. None received.

Main Policies

20. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1
21. Relevant Development Management Plan policies: DMC3, DMH8, DMT8

Neighbourhood Plans

22. Bradwell Parish Neighbourhood Plan (2015-2030): T2

National Planning Policy Framework (NPPF)

23. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for National Parks in England: to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the public. When they carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities in National Parks.
24. The NPPF is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. Paragraph 189 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
25. In the National Park, the development plan comprises the Authority's Core Strategy (2011) and the Development Management Policies (DMP) (2019). The development plan provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the development plan and the NPPF.

Assessment

Principle of development

26. DMT8 A. States that off-street car parking for residential development should be provided unless it can be demonstrated that on-street parking meets highway standards and does not negatively impact on the visual and other amenity of the local community. This should be either within the curtilage of the property or allocated elsewhere. Full details of the appropriate range of parking provision for residential developments can be found within the Parking Standards at Appendix 9 of the Development Management Policy Document.
27. Bradwell Parish Neighbourhood Plan policy T2 refers to the retention of car parking, and states that the removal of any current car parking facilities, both public and private, will be strongly opposed.
28. Both policies DMT8 and T2 form part of the Development Plan for the National Park. The Neighbourhood Plan and policy T2 was made in 2015, four years prior to the adoption of the Development Management Policies Plan and DMT8 in 2019. Therefore, in accordance with S.38 (5) of the Planning Compulsory Purchase Act 2004, if there is conflict between the two policies the conflict must be resolved in favour of the policy which is contained in the last document to become part of the Development Plan, in this case DMT8.
29. There is some conflict between the policies as T2 makes a clear statement that *any* removal of car parking facilities will be strongly opposed. Whereas policy DMT8 does allow for more flexibility, provided that satisfactory parking is retained either off-street or on-street and in all cases that the loss of parking space is not harmful.
30. Nevertheless, T2 was written and adopted by the local community on the basis that there are very limited parking facilities generally in Bradwell and significant pressure on on-street parking. Therefore, there is a strong desire locally that parking is provided and retained as part of development.
31. Therefore, while policy allows scope in principle for the loss of parking spaces, this must be considered in the context of the locality within Bradwell where in many cases the loss of parking would not be acceptable due to local circumstances expressed in the

Neighbourhood Plan. If, however, the development would not result in any significant harm to the local area then it is unlikely that refusal of the application, in principle, could be sustained.

32. This dwelling benefits from a garage which is 8.3m deep and a driveway which is 9.7m deep. A car parking space, as defined in the Development Plan, is 5m x 2.5m. Applying the standards to this property, whilst the driveway is 0.3m short for two spaces, it is accepted that 2 cars can be safely parked on the driveway. The existing garage provides an additional space for a total of 3.
33. The proposed development would result in the rear 4m of the garage being partitioned off to create a utility room. This would leave 4.3m for use as a garage. The space within the garage as proposed would be 0.7m less than the defined space standard. This space would not be sufficient to park a car and would in reality be limited to cycles.
34. Therefore, the proposal would result in a reduction in the number of parking spaces from 3 to 2. The proposal therefore is in clear conflict with policy T2.
35. Nevertheless, policy DMT8 is relevant and it is necessary to consider whether the proposal would leave sufficient parking for the property against adopted standards and what the impact of the loss of 1 parking space would be upon the local area.

Impact upon amenity and highway safety

36. The Authority's adopted parking standard for a 3 bedroom property is a minimum of 2 spaces and a maximum of 3.
37. The property therefore currently benefits from the maximum allowable provision. The proposal would reduce parking to the minimum requirement; however, the property would still retain off-street parking in accordance with the Authority's adopted standards.
38. The Highway Authority were consulted on this application and deferred their response pending further information. This information was provided and the Highway Authority were re-consulted; however, no response was received. If a response is received a verbal update will be provided.
39. Policy DMT8.B outlines that off-street parking space will be protected where there is evidence that loss of such space would exacerbate local traffic circulation problems.
40. The loss of car parking spaces would be deemed harmful if it would result in parking displacement across the locality through additional on-street parking. This could harm both the functionality of the local road network through traffic circulation problems, such as 'double parking' or otherwise insensitive parking which could limit safe passage of vehicles (in particular blue light services).
41. The displacement of vehicles parking on the highway could also harm the character and appearance of the area. This is particularly relevant for this application as Bradwell Springs was substantially completed only 4-years ago and was designed to secure a positive brownfield enhancement to the village. Excessive vehicles parking on the roadside could detract from the well-designed sense of place which was secured through the granting of planning permission. Indeed, this was the given reason for condition 44 on planning permission NP/DDD/1119/1232 restricting the use of the garage and car parking spaces.
42. Additional roadside parking could also harm the residential amenity of residents through increased movements outside dwellinghouses or difficulty manoeuvring across the site due to parked vehicles.

43. However, in this instance Officers acknowledge that the application site is located in an area of Bradwell which has been designed to modern highway and parking standards. Every dwelling across the 55-house estate will have, at least, the minimum parking provision commensurate with the size of the dwelling, with some dwellings having the 'maximum' parking provision, such as 26 Swift Close.
44. Therefore, it is not anticipated that Bradwell Springs suffers from the critical lack of available parking spaces found across other areas of Bradwell, in particular its historic core where the majority of dwellings do not have off-street parking provision.
45. As 26 Swift Close would retain the minimum necessary provision, it is not anticipated that there would be frequent demand for a third car parking space serving the property. In the situations where an additional vehicular parking space is required, it is anticipated that this could be met through on-street parking. As the other dwellings across Swift Close and Bradwell Springs have sufficient parking provision, the infrequent parking of vehicles on road would not amount to any significant cumulative negative impact on highway safety, character and appearance or residential amenity.
46. Furthermore, it should be noted that Swift Close is located in an enclosed development off an existing residential street some 500m north of the historic core of the village. As such, any additional roadside parking within the estate would not have a 'knock on' effect across the village because it is unlikely that the residents of properties within the core of the village would park on, or near, Swift Close/Bradwell Springs.
47. Therefore, Officers have concluded that the loss of 1 parking space serving the property would not have a harmful impact on highway safety, the character and appearance of the site or residential amenity. Policy DMT8.B therefore outlines that such a parking space would not need to be protected and the use of the garage as proposed would not be in conflict with the policy.
48. This assessment has been based upon the size of the dwellinghouse and the amount of car parking provision present on site. It should be noted that a similar conclusion may not be drawn for different dwellinghouses across the Bradwell Springs development.
49. Officers acknowledge that safeguarding the remaining parking provision at 26 Swift Close is critical in ensuring that parking is not displaced across the wider development to the detriment of highway safety and residential amenity. Therefore, if this application is recommended for approval, a condition requiring the retention of the driveway for the parking of private vehicles will be recommended.

Conclusion

50. The proposed development would result in the loss of 1 car parking space at the property.
51. As noted, Officers consider there to be some conflict between Neighbourhood Plan policy T2 and the more recently adopted Development Management Policies Plan DMT8. Therefore, policy DMT8 is the pertinent policy in the determination of this application; however, Officers nevertheless acknowledge that parking is a significant issue affecting Bradwell and this has been considered in the assessment of the proposal against policy DMT8.
52. Following an assessment, it has been concluded that the proposed loss of 1 car parking space at the application site would not negatively affect the locality through harm to highway safety, the erosion of the character and appearance of the area, or residential amenity.
53. The loss of the space would therefore be acceptable through policy DMT8.

54. The application is recommended for approval on this basis.

Human Rights

55. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil