

Appeal Decision

Site visit made on 8 November 2016

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 2nd December 2016

Appeal Ref: APP/P3040/D/16/3156613

59 Leahurst Road, West Bridgford, Nottingham, Nottinghamshire NG2 6GL

- 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 Miss Louise Abrahams against the decision of Rushcliffe Borough Council.
 - The application Ref 16/00951/FUL, dated 28 March 2016, was refused by notice dated 27 May 2016.
 - The development proposed is a two storey extension to side of dwelling and single storey extension to rear of dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed car parking arrangements associated with the development on highway safety in the area.

Reasons

3. The appeal property is a two storey semi-detached dwelling located within a mature well-established residential area, typically characterised by semi-detached dwellings set back from the road behind front gardens/driveways.
 4. The proposal would entail the construction of a single storey rear extension and a two storey extension on a car hardstanding at the side of the property set back from the front elevation of the existing dwelling. The front part of the side extension would be located about 3.0m from the road boundary and the ground floor level would be set back about an additional 1.9m to form a covered parking area. This would be supported by a brick pillar at the front corner of the new side extension leaving a total gap of about 2.05m in width from the side of the house to form the covered parking area.
 5. The Nottinghamshire County Council Local Highway Authority (LHA) has objected to the development stating it does not have satisfactory parking provision. The LHA requires two parking spaces for the dwelling with a minimum parking space size of 2.4m (width) by 4.8m (long). The appellant considers that the proposed development provides one parking space in accordance with these parking space design requirements and has questioned the need for two parking spaces in light of other development in the area. Whilst I acknowledge that this is only guidance, it is a material consideration
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that carries some weight, as it provides evidence to assess more objectively the impact of the proposed development on highway safety.

6. Paragraph 32 of the National Planning Policy Framework (the Framework) states that decisions should only be prevented or refused on transport grounds where the residual impacts of development are severe. In view of the scale of development, it is evident that the impact of the development on highway efficiency would not be severe. However, paragraphs 32 and 35 of the Framework go on to state that decisions should also take into account whether safe and suitable access to the site can be achieved for all people.
7. From the evidence provided and from my observations on site, I consider that the proposed parking arrangements are neither safe nor suitable to safely cater for the traffic movements from the proposal, due to the proposed design of the covered parking area and the lack of driveway space. The users of the parking area would be severely restricted by the overall width of the parking area and the brick pillar at the front of the side extension. This would significantly reduce the ability of drivers to use the proposed parking area safely and as such would result in potential additional displaced parking on the road and the turning area at the front of the property contrary to highway safety.
8. I have noted those planning permissions in the area drawn to my attention by the appellant. On the basis of the limited evidence provided I am not convinced that their circumstances are compellingly similar to those of the present appeal proposal. The appeal site has different locational characteristics as compared to the other properties at No. 57 and 76 Leahurst Road. I therefore accord them limited weight as precedents in this case.
9. Consequently, I conclude that the proposal would have a detrimental effect on highway safety. The proposal would therefore be contrary to Policy GP2 b) of the Rushcliffe Borough Non-Statutory Replacement Local Plan 2006 that states planning permission for extensions will be granted provided that, amongst other things, a suitable means of access can be provided to the development without detriment to highway safety and the provision of parking is in accordance with the guidance in the County Council's parking provisions for new development and the design of the proposal accords with guidance produced by the highway authority.
10. In addition, it would not accord with paragraphs 32 and 35 of the Framework, which seeks to ensure that a safe and suitable access to the site can be achieved for all people and that a safe and secure layout can be achieved which minimises the conflicts between traffic and cyclists or pedestrians.

Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR