
Appeal Decision

Site visit made on 10 January 2017

by Stephen Hawkins MA MRTPI

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

Decision date: 7 February 2017

Appeal Ref: APP/C3105/W/16/3159511

109 Courtington Lane, Bloxham, Banbury OX15 4HS

- 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 Steven Jones against the decision of Cherwell District Council.
 - The application Ref 16/00913/F, dated 14 May 2016, was refused by notice dated 12 July 2016.
 - The development proposed is change of use from dwelling to bed and breakfast accommodation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on highway safety conditions on Courtington Lane.

Reasons

3. The appeal property is an extended detached dwelling standing in a row of similar properties, set back from the road. I am given to understand that planning permission has recently been granted for a further significant extension to the dwelling. The property is situated on the north side of Courtington Lane ("the Lane"), a mainly residential street which runs between Tadmorton Road and the A361 primary road. The property is situated broadly opposite the junction with The Avenue, a cul-de-sac serving a large number of residential properties. The property is around 150 metres east of the junction of the Lane and Tadmorton Road. Bloxham Primary School is located along Tadmorton Road, a short distance beyond the junction.
 4. The appellant states that four bedrooms in the property would be used for bed and breakfast purposes, although I am aware that the proposal was originally for five bedrooms to be utilised. The remaining four bedrooms would be used to accommodate the appellant and his family. The appellant suggests that the existing parking and turning area at the front of the property could be used to provide up to five parking spaces, three of which would be available for use by B&B guests.
 5. I understand that the Oxfordshire County Council (OCC) parking guidance requires a minimum provision of one parking space for each of the four bedrooms in the proposed B&B, with a requirement for two spaces for the
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remaining family accommodation. Therefore, the proposal would not provide the total of six parking spaces required by the OCC parking guidance.

6. The appellant's provision of three parking spaces for the guests of the proposed B&B, is based on nationally predicted levels of occupation. I am told this indicates that the use of three of the B&B rooms would represent a high level of occupation. Whilst this might generally be the case, in my view it does not take account of what the appellant suggests is a considerable demand for B&B accommodation in the area, having regard to the limited existing local B&B offer. Accordingly, and given that it would not be unnatural for a business to try and maximise its income, it is reasonable to conclude that all four rooms in the proposed B&B would be occupied on a reasonably regular basis, thus giving rise to a requirement to park four vehicles at the property. It is also not unreasonable to assume that the appellant's family, which includes three teenage sons, would have at least two vehicles. These vehicles are likely to be parked at the appeal site when guests would also wish to park, for example during the evenings and at night. Retaining the existing garage is unlikely to assist in providing further useable parking space at the appeal site.
7. The parking and turning area has a considerably limited depth in comparison with its width. As the parking and turning area already occupies all of the space at the front of the property, it cannot be enlarged. Due to the constraints on its size, the parking and turning area would therefore present drivers with substantial difficulties in terms of either accessing or leaving some of the five parking spaces proposed. This would be particularly the case when two or more spaces were already occupied by parked vehicles. Consequently, the parking and turning area would not be of a size capable of easily and conveniently parking five vehicles in the proposed spaces. The limited space remaining following the parking of two or more vehicles would also leave insufficient room for drivers to undertake the necessary manoeuvres to enable vehicles to enter and leave the appeal site in forward gear. These problems are likely to be exacerbated if some or all of the parked vehicles were on the larger side.
8. I have taken account of the plan supplied with the appeal, which illustrates five vehicles parked within the parking and turning area in various different layouts. Even so, none of the parking layouts shown demonstrates that the above deficiencies in the parking and turning area arrangements within the appeal site would be addressed satisfactorily. Marking out the parking bays would have little practical effect in terms of remedying the above matters as it would not increase the size of the parking and turning area.
9. During my visit, I noted that several cars were parked on the southern side of the Lane in the vicinity of the property, reducing the width of the carriageway to that of a single vehicle. If some guests were unable to park their vehicles on the appeal site, it follows that they would then park on the Lane. This would increase levels of on-street parking and it would further obstruct the carriageway for passing traffic, thus causing additional inconvenience to other road users.
10. I acknowledge that there is good visibility from the access to the property for vehicles leaving in a forward direction. However, the lack of an adequate level of parking and turning facilities for the number of visiting vehicles would result in visitors either reversing their vehicles out into the Lane or alternatively,

reversing onto the property. In either case, such vehicle manoeuvres would be taking place in proximity to the junction with The Avenue. The manoeuvres are therefore likely to conflict with traffic movements along the Lane as well as traffic exiting the Avenue.

11. I understand that off-street parking for local schools and businesses is limited and that local residents reverse their vehicles onto the Lane and park their vehicles along it. However, neither of the above would be a good reason to introduce additional on-street parking or additional conflicting vehicle movements onto the Lane.
12. I also understand that the Lane currently experiences a significant increase in levels of traffic congestion and on-street parking for a considerable distance along its southern side, including in the vicinity of the appeal site, when parents drop off and collect their children from the Primary School. In addition, the available evidence shows that there is an increase in reversing manoeuvres being carried out in and around the junction of the Lane and The Avenue during those times. I acknowledge that some B&B guests might arrive and leave outside of these periods, which are of relatively short duration in the morning and afternoons. However, that is unlikely to always be the case. Therefore, the deficiencies in the on-site parking and turning arrangements arising from the proposal are also likely to exacerbate the existing problems on the Lane caused by the school traffic. Whilst I acknowledge that the proposed erection of new housing opposite the Primary School would have the potential to increase local traffic levels, that has no material bearing on the merits of the appeal scheme.
13. Overall, for the reasons identified above I find that the proposal would therefore cause unacceptable harm to highway safety conditions on the Lane. Consequently, the proposal would not accord with Policy ESD15 of the adopted Cherwell Local Plan, as it would not be designed to deliver a high quality, safe place to live and work and it would not improve the quality of the area and the way it functions. Further, the proposal would not be consistent with the National Planning Policy Framework, as it would not achieve a safe and suitable access to the site for all people as required by paragraph 32 and it would not contribute positively to making places better for people, as required by paragraph 56.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Stephen Hawkins

INSPECTOR