
Appeal Decision

Site visit made on 14 March 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 31 March 2017

Appeal Ref: APP/A4710/W/16/3165307

2 Cross Hill, Greetland, Elland HX4 8JU

- 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 Ms Julie Crane (Julie Crane Properties Limited) against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 16/00335/FUL, dated 10 March 2016, was refused by notice dated 17 June 2016.
 - The development proposed is the reinstatement of three dwellings to form a four bedroom house, a one bedroom cottage and a bedsit apartment.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my visit it was clear that the development proposed in the planning application, the subject of this appeal, had been completed. The Council dealt with the application as being retrospective. I have no evidence to suggest that the development has been undertaken otherwise than in accordance with the plans submitted with the application.
3. The Council's evidence indicates that the plan showing the proposed development and car parking on which it made its decision was Ref No 3823 03 D (General Arrangement – Proposed). At my site visit the appellant provided me with a copy of Plan Ref 3823 03 F (General Arrangement – Proposed) which shows modifications to the arrangement of the proposed three car parking spaces to the front of the appeal site. However, I have no evidence to indicate that this plan formed part of the planning application or has been considered by the Council. Consequently, I can attach little weight to this plan. I shall return to this matter later.

Main Issue

4. The main issue is the effect of the proposal on highway and pedestrian safety.

Reasons

5. The appeal site comprises a former shop with associated accommodation to the upper floors and an adjacent cottage dwelling. It is located approximately 30m to the west of the junction of Sunnybank Road with Cross Hills and Rochdale
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- Road. The site has a small parking area to the front which leads directly on to Sunnybank Road to the north.
6. This part of Sunnybank Road is relatively narrow, has no pedestrian footway on the south side and a narrow footpath on the northern side. I observed at my site visit that vehicles parking on the road in the vicinity of the appeal site tend to park over the footway. Those that park on the road result in a consequential effect of reducing the width of the road to single carriageway.
 7. The proposed development would provide for three parking spaces to the front of the site. The Council indicate that car parking spaces should be a minimum of 3.3m wide where driveways also provide pedestrian access to the property, as is the case in this appeal. However, it was clear at my site visit that such width cannot be reasonably accommodated in the available space to the front of the site. As such, at times when the proposed three spaces were occupied, I agree with the Council that there would be insufficient space to enable the doors of parked vehicles to be opened wide enough to enable a person to access/egress the vehicle.
 8. In addition, there is insufficient space within the site to enable the manoeuvring of vehicles. Consequently, vehicles accessing or egressing the proposed parking bays would have to undertake reversing manoeuvres on Sunnybank Road close to the junction with the relatively heavy trafficked Rochdale Road. Given the narrow width of Sunnybank Road and the lack of pedestrian footway on this side of the road, such movements would be detrimental to highway and pedestrian safety and to the free flow of traffic along the road.
 9. The Council suggests that the development should provide for a minimum of four car parking spaces, one space for the bedsit and one bedroom cottage and two spaces for the four bedroom dwelling. I accept that the site is in a sustainable location and close to bus stops. However, whilst four parking spaces would not be unreasonable for this development, Saved Policy T 18 of the Replacement Calderdale Unitary Development Plan (as amended) 2006 (UDP) sets out minimum parking requirements for developments and indicates that 1.5 spaces per dwelling should be provided on developments having communal parking. This equates to 3.5 spaces being required to serve the development.
 10. Even if I were to consider that fewer spaces would be appropriate, the layout suggests that parking for three cars could not reasonable be achieved in the space provided due to an inability to open and close car doors. As such there is a likelihood that one of the three cars would park on the road. In not providing for an adequate number of car parking spaces in accordance with the requirements of Saved Policy T 18, there is a likelihood that the development would result in on-street parking on Sunnybank Road which would either cause a narrowing of the carriageway or result in vehicles parking on the pedestrian footway.
 11. The evidence of nearby residents suggests that vehicles do park on the road in the vicinity of the appeal site, particularly at school opening and closing times. Given the narrow width of the road, vehicles parked on Sunnybank Road in the vicinity of the appeal site would narrow the road further to the extent that the ability of vehicles to enter or leave the appeal site or adjacent properties would

- be compromised and likely result in a series of vehicular manoeuvres occurring on the road.
12. Photographs provided by a nearby resident show the difficulty that parking on the road causes for vehicles entering or leaving nearby properties. Additional on-street car parking, as a consequence of a lack of suitable provision at the appeal site, would exacerbate such manoeuvring problems on the highway or compromise the width of the available pedestrian footway. Both of these situations would be unacceptably detrimental to highway and pedestrian safety.
 13. Owing to the narrow width of the parking area, its occupation by three parked cars would make it extremely difficult for pedestrians to access the dwellings from Sunnybank Road. In addition, I note that the western parking space would be over the access steps to the basement cycle store and bedsit thereby compromising pedestrian access. These matters add to my concerns regarding the inadequacy of the parking arrangements.
 14. Even if I were to take the revised parking arrangements shown on Plan Ref 3823 03 F into account these would not overcome all of my concerns identified above. This plan shows two spaces for the four bedroom dwelling and one for the one bedroom cottage. No space is provided for the bedsit. Although the arrangement of parking spaces would enable access to the basement, in order to achieve this the plan suggests that the use of the western space would result in a parked vehicle slightly overhanging into the road which would cause an unacceptable obstruction to the flow of traffic.
 15. In addition, use of the eastern space could only be achieved if the central space was unoccupied. If this was occupied by a parked vehicle then manoeuvring of that vehicle into the road would have to occur to enable access to the parking bay. Overall, I consider that the revised parking arrangements, as shown on Plan Ref 3823 03 F, would also be detrimental to highway and pedestrian safety.
 16. Taking the above factors into account, I therefore conclude that the development would not make adequate provision for off street parking. Given the narrow nature of Sunnybank Road and the poor provision of pedestrian footways, it would be detrimental to highway and pedestrian safety and would be contrary to Saved Policy T 18 of the UDP. This policy, amongst other matters, requires an adequate provision of off street car parking facilities for each of the dwellings.

Other matters

17. I have taken into account the modest contribution that the development would make to the supply of housing in the Borough. Whilst this benefit weighs in favour of the development it does not outweigh the harm that would be caused to highway and pedestrian safety.

Conclusion

18. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Stephen Normington

INSPECTOR