
Appeal Decision

Site visit made on 21 March 2017

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 13th April 2017

Appeal Ref: APP/D2320/W/16/3165344

The Bay Horse, 200 Preston Road, Whittle-le-Woods, Chorley, Lancashire, PR6 7HW

- 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 Christopher Sanders against the decision of Chorley Borough Council.
 - The application Ref 16/00364/FUL, dated 18 April 2016, was refused by notice dated 14 June 2016.
 - The development proposed is described as "to utilize 7 car parking spaces which are not being used during the proposed opening hours of a hand car wash and valeting centre".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are, firstly, whether the development would prejudice highway safety and, secondly, the effect of the development on the living conditions of No 198 Preston Road with regard to noise and disturbance.

Reasons

Highway Safety

3. The appeal site comprises the car park to The Bay Horse public house. It currently consists of 20 parking spaces, which are accessed directly from Preston Road near to a pedestrian refuge.
 4. Preston Road is a busy main road with a 40 mph speed limit. Customers travelling along Preston Road from the south would access the site via a short right turn filter lane that is large enough to accommodate only 1-2 cars. It would only require a small queue of cars to form along Preston Road for this to lead to significant backing up. Given the volume of traffic on Preston Road, this would soon lead to significant congestion. Any backing up would also be hazardous to motorists given the speed limit in this location, which could cause vehicles to break sharply. Congestion at this point could also block access to the pedestrian refuge which would undermine pedestrian safety.
 5. The proposed car wash and valet centre would occupy 7 of the existing parking spaces, and the Council express concern that other spaces would be lost, including to re-open a second exit onto Preston Road. The operating hours of
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the car wash and valet centre would also significantly overlap with the opening hours of the public house. During this period of overlap, the parking spaces available to pub customers would be significantly reduced. There is a shortage of on-street parking available in the surrounding area, and there are single yellow lines along both sides of the road. Any increase in on-street parking along this part of the road by pub customers could obstruct the pavement or be hazardous to motorists, particularly in proximity to the pedestrian refuge.

6. Whilst the appellant states that other nearby car wash facilities have recently been granted permission, the full details of those cases are not before me. In any case, I have determined the appeal on its own merits.
7. For the above reasons, I conclude that the development would prejudice highway safety. It would therefore be contrary to Policies BNE1 and ST4 of the Chorley Local Plan 2012 – 2026 (2015). These policies seek to ensure, amongst other things, that new development does not prejudice highway and pedestrian safety, or the free flow of traffic.

Living conditions

8. The proposed car wash and valet centre would be in close proximity to the side gable to No 198 Preston Road, which contains a single window. The use of powered washing and cleaning equipment in this location would lead to significant noise and disturbance to neighbouring occupiers. Given the direct proximity of No 198, the effect on this property would be particularly significant.
9. I conclude that the development would unacceptably harm the living conditions of No 198 Preston Road with regard to noise and disturbance. It would therefore be contrary to Policy BNE1 of the Chorley Local Plan 2012 – 2026 (2015). This policy seeks to ensure, amongst other things, that new development does not cause an unacceptable degree of noise and disturbance to surrounding occupiers.

Other Matters

10. Any concerns regarding due process during the processing of the planning application fall outside of the remit of this decision.
11. The use of the existing car park by visitors to the doctors surgery, against the wishes of the owner, is not relevant to the consideration of this appeal.

Conclusion

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

Thomas Hatfield

INSPECTOR