
Appeal Decision

Site visit made on 8 July 2019 by C McDonagh BA (Hons), MA

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2019

Appeal Ref: APP/N4720/W/19/3226836
305 Dewsbury Road, Leeds, LS11 5LQ

- 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 Syrenka (UK) Ltd against the decision of Leeds City Council.
 - The application Ref 18/05055/FU, dated 6 August 2018, was refused by notice dated 21 November 2018.
 - The development proposed is extension to retail store (Use Class A1).
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue for consideration in this appeal is the effect of the extension on highway safety, with particular regard to parking provision.

Reasons for the recommendation

4. The appeal site comprises an international supermarket, specialising in the sale of Polish goods. The building is of two-storey structure to the principal elevation, with the retail space of single-storey projecting to the rear of the site. To the front is a car park, with storage and delivery space to the side and rear. The supermarket is located on the A653 (Dewsbury Road), which links the A6110 (Ring Road) to the southwest with the City Centre to the north and serves as a strategic route in the Leeds road network. The surrounding area is of mixed-use, with residential streets to the northwest side of the road and industrial and commercial units to the southeast.
5. The proposal involves the extension of the existing retail unit to the rear and side of the building. The additional space to the side is indicated to be used for storage while the rear is an expansion of the retail space. The proposal represents a sizeable increase in floorspace.
6. The Parking Supplementary Planning Document (the SPD) details the expected provision of spaces based on the location, use class and size of the development. Given the A1 use and its size, this figure is calculated by the

Council at 30 spaces required to be provided. The level of parking provision currently available to customers currently numbers 9 spaces. 10 are proposed on the plan, although the validity of the additional space is disputed given its location across the side yard entrance. The proposal therefore represents a significant shortfall in parking provision.

7. The appellant has provided an assessment of the number of cars present at the site over one-minute intervals spread across 2 separate 4-hour periods. The first study was undertaken on a Friday from 16:00 to 20:00 and the other a Saturday from 11:00 to 15:00. Both periods were agreed beforehand with the Council's Highways team as being the expected busiest times during the week. While there is a large amount of data to draw on with 480 spot checks, the study is limited in the sense that it is only taken over two days. However, even within those two periods, the car park was shown to be at capacity three times on the Friday. I am therefore unconvinced on the basis of the evidence before me that satisfactory parking provision would be achieved for the extended premises.
8. The SPD allows for flexibility when considering parking space requirements against location, public transport accessibility, car ownership, walking catchment and the end user. The appellant advises that there is a large local population of Polish people who walk to the site, which I have no reason to doubt, and public transport is accessible with two bus stops nearby. However, notwithstanding that, the road immediately outside the supermarket is a busy thoroughfare and any overspill from the car park as a result of the shortfall in provision would compromise highway safety.
9. The appellant suggests that a condition could be attached to any grant of permission to limit the use of the extension to storage only. I understand at present a temporary storage enclosure is used to the side of the existing building. However, I am unconvinced on the basis of the evidence before me that such a large extension is warranted for storage alone but even if it was, the car parking requirements set out in the SPD appears to be based on external gross floor area rather than net retail floorspace. In practical terms whilst such a restriction might limit the number of additional customers, I am unconvinced that such a condition be reasonable and would not meet the tests of s55 of the National Planning Policy Framework.
10. The appellant argues that the proposal meets the aims of the Framework insofar as the planning system should support the expansion of businesses. I acknowledge that the appellant has built up a retail business which he now seeks to expand by increasing the range of goods on offer. I also acknowledge the need for storage and that the proposal may improve the internal store layout. The creation and retention of jobs is also put forth as a benefit, although I have no evidence before me that this would occur and as such afford it only limited weight. Consequently, any benefits of the scheme considered individually and cumulatively, are outweighed by the significant harm that would be caused to highway safety.
11. For these reasons, the proposal would be contrary to policy T2 of the Leeds Core Strategy (CS), which seeks to ensure parking provision for cars, motorcycles and cycles in accordance with current guidelines. The proposal would also fail to comply with the aims of the Framework insofar as it has the potential to cause unacceptable impacts upon highway safety.

Recommendation

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

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR