



Appeal Decision

Site visit made on 13 November 2019

by M Seaton DipTP MRTPI

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

Decision date: 18 November 2019

Appeal Ref: APP/F2360/D/19/3239299

72 Leyland Road, Penwortham, Preston, Lancashire, PR1 9XS

- 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 Ken Jolleys against the decision of South Ribble Borough Council.
 - The application Ref 07/2019/3238/HOH, dated 2 April 2019, was refused by notice dated 21 August 2019.
 - The development proposed is the formation of a dropped kerb and hardstanding to front.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed parking arrangement is feasible and safeguards the highway safety of pedestrians.

Reasons

3. The appeal site is occupied by a two-storey mid-terraced property located on the western side of Leyland Road. The appeal property includes a modest-sized front garden defined by existing low walls on the boundaries with Nos. 70 & 74 Leyland Road, and incorporating a similar wall and gate to the rear of the pavement.
4. The property is located on a busy road with parking restrictions in the form of double yellow lines located along sections of the road, although there are no yellow lines immediately in front of the appeal site. It was evident from the site visit that many other properties along this part of Leyland Road have converted their front gardens to hardstandings for parking, although it is unclear whether all such works have been undertaken with the benefit of planning permission as in many instances parked vehicles were seen to be overhanging or obstructing the pavement.
5. The submitted plans indicate the appellant's intention to provide a 4.7 metre wide dropped kerb and to park a vehicle at an angle to the road, a necessity due to the limited width of the appeal site and which would facilitate the manoeuvring of the vehicle in to the space in reverse from the road. However, whilst I have no reason to question the appellant's determination or driving skill to make the parking space succeed as has been highlighted in the submissions, the arrangement of the parking raises some particular concerns.

6. I have noted the submitted plans show the intention to remove the existing boundary wall to No. 74 Leyland Road, in addition to the front wall and gate. In so doing, I would agree with the assessment of Lancashire County Council as the highway authority that there would be a reliance on land beyond the control of the appellant for manoeuvring, as has been shown on the submitted plan, and specifically on the land belonging to No. 74 Leyland Road. In this regard there is no indication that this arrangement has been legally secured in perpetuity with the neighbouring property, and in the absence of such an agreement I am not persuaded that access to the parking space in the manner shown would be realistic or readily achievable. Furthermore, in the event of the successful parking of a vehicle as shown, the resultant restricted access to the front door of the property adds further weight to my conclusion of the unacceptability of the parking as proposed.
7. I have had regard to the appellant's contention that amendments to the original proposals were sought during the course of the planning application, but that a refusal was ultimately forthcoming anyway. Whilst this is clearly unfortunate, the Council would seem to have responded to the initial comments of the County Council by providing the appellant with the opportunity to consider whether an alternatively detailed proposal would be capable of resolving the outstanding issues. I do not see this approach to be unreasonable in the circumstances.
8. For the reasons set out above, I do not consider that the proposed parking layout would be reasonably or readily accessible, and as a consequence I am satisfied that in all probability an alternative arrangement for the parking of a vehicle on site perpendicular to the road would occur, which would create the potential for further conflict with pedestrians using the pavements within the area.
9. Therefore, I conclude that the proposed parking arrangement would not be feasible and would not safeguard the highway safety of pedestrians. The proposed development would therefore conflict with Policy B1 of the South Ribble Local Plan (2012-2026) adopted July 2014, which seeks to ensure that the provision of parking in existing built-up areas complies with the requirements for parking, and does not adversely affect the amenities of nearby residents.

Conclusion

10. For the reasons given above, the appeal is dismissed.

Martin Seaton

INSPECTOR