



Appeal Decision

Site visit made on 17 March 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 8th April 2020

Appeal Ref: APP/F2360/W/19/3242046
106 Station Road, Bamber Bridge PR5 6QP

- 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 Stephen Salter against the decision of South Ribble Borough Council.
 - The application Ref 07/2019/7353/FUL, dated 25 July 2019, was refused by notice dated 24 October 2019.
 - The development proposed is change of use from a residential dwelling (C3) to hot food takeaway (A5) with first floor ancillary storage and staff use, erection of 1no 500mm dia extractor flue pipe, 1no 300mm dia air flow pipe to rear. Erection and installation of new shop front with security shutters.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of nearby residential properties, with particular regard to the adequacy of parking provision.

Reasons

3. No 106 is an end of terrace property on the corner of Station Road and Hodson Street, which is a short residential road. Station Road is a busy through route with a mix of commercial, residential and community uses on both sides of the street at this point. The property is in an Existing Built-Up Area, as defined by the South Ribble Local Plan (2016-2026) Adopted July 2015 (the LP). As such, development is permitted subject to meeting certain requirements including in relation to parking.
4. The proposed hot food takeaway would be open from 1100 until 2300 every day of the week, including bank holidays. There would be no parking provision.
5. The appeal premises would be accessible by walking, cycling and public transport, although the bus stop formerly to the front of the property has been removed. However, it is accepted that a proportion of customers would travel by private vehicle. Employees, including those working late into the evening and during poor weather, would also be likely to travel by car. The closest public car park is approximately 250m from the property and it would not therefore be the preferred parking location for future users of the premises.

Consequently, the proposal would result in an increase in the number and frequency of vehicle movements around the property.

6. The terrace of which No 106 forms part leads away from a controlled junction and there is no roadside parking on this side of the street at this point. There is bay parking elsewhere on Station Road, including to the front of the commercial terrace on the opposite side of the road. As befits a short terraced street, the adjacent Hodson Street has a limited extent of roadside parking.
7. I visited the area on a weekday, when the majority of residential occupiers would be expected to be away from their homes. Nevertheless, on-street parking in the area was well-used, with Hodson Street near to capacity and with cars parked on the footway. Some of the parked vehicles are likely to have been associated with daytime commercial uses and they would not therefore be present outside of normal retail hours. However, there are commercial uses in the area that operate into the evenings and at weekends. Vehicle movements associated with public houses, hot food takeaways and convenience stores will coincide with times of day and week when residential occupiers would be at home. By virtue of the proposed long opening hours, the proposal would result in a cumulative increase in the demand for parking spaces in the area.
8. Taking into account the absence of roadside parking to the front of the property, and the range of nearby uses and their opening hours, it seems reasonably likely that there will already be a degree of roadside parking pressure in the area. There is no evidence before me to indicate that the existing on-street parking demand results in significant detrimental effects. However, no evidence in the form of a parking survey has been provided. Therefore, it has not been demonstrated that there is sufficient on-street parking capacity to absorb additional vehicles generated by the proposal without significant adverse cumulative impacts on residential amenity.
9. The Council's adopted parking standards indicate that 3 parking spaces would be required to serve the proposal. Policy F1 of the LP does allow some flexibility in provision, depending upon local circumstances. However, as set out above, no substantive evidence has been provided to justify the variation from the policy requirement in this case. The increased parking pressure would be likely to be particularly detrimental to the residents of Hodson Street. In this respect, the absence of parking restrictions on that street is not a justification to relax the parking standards for the proposal.
10. The increased frequency and intensity of vehicular movements, particularly in the more residential areas and at quieter times of the day, would also result in an increase in noise and disturbance. The manoeuvring of vehicles, revving of engines and slamming of car doors would contribute to the adverse effects on residential amenity.
11. Therefore, the proposal would result in harm to the living conditions of nearby residential occupiers, with particular regard to the lack of adequate parking provision and consequent on-street parking pressure. It would conflict with the parking and residential amenity aims of Policies B1 and F1 of the LP. These require, among other things, that development in existing built-up areas complies with relevant parking requirements and avoids adverse effects on residential amenity.

12. I appreciate that there have been appeal decisions elsewhere that related to hot food takeaways, where Inspectors found that there would be no significant increase in private travel movements. However, those schemes differ from the appeal scheme including in terms of the existing use of the property and the surrounding context. Schemes in other locations and that relate to existing commercial premises are not directly comparable to the appeal scheme and they do not provide a justification for it.

Other Matters

13. The proposal is in a mixed use area with a number of existing food and drink establishments. While the proposal could add to the existing food offer, I am not persuaded that this would result in any significant health benefits.
14. The proposal would create employment for two full-time employees. While this would be a benefit of the scheme, it would not outweigh the harm that I have found.
15. I appreciate that the Members reached a decision contrary to the professional advice received. However, they were within their rights to conclude that the proposal would conflict with development plan policies, based on the exercise of their judgement and local knowledge.
16. There are policies in the Framework that promote economic growth and that direct Councils to meet the development needs of business. However, this does not provide a justification for a proposal that would conflict with the development plan.

Conclusion

17. Therefore, the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict. For this reason, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR