
Appeal Decision

Site visit made on 1 June 2020

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 July 2020

Appeal Ref: APP/N2345/D/20/3248897

275 Deepdale Road, Preston, Lancashire PR1 6LL

- 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 Mrs Zulekha Saleh against the decision of Preston City Council.
 - The application Ref 06/2019/0850, dated 13 September 2019, was refused by notice dated 10 March 2020.
 - The development proposed is to remove the front garden wall, front garden gate, front garden fence, and front kerb to be, dropped the kerb.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the safety of road users in Deepdale Road.

Reasons

3. The appeal property is a mid-terraced property on the west side of Deepdale Road. The property lies between St Georges Road and St Stephens Road. A deep pedestrian footpath, which forms part of the adopted highway, extends in front of the property. The property itself has a small hard-surfaced frontage enclosed by a low wall with decorative railings. Deepdale Road is a highly trafficked classified road. The traffic light-controlled junction of Deepdale Road and St Georges Road is to the south. On-street parking extends in front of the terrace. This is subject to a Traffic Regulation Order which limits parking to 1 hour between the hours of 08:00 and 20:00 Monday to Saturday with no returns within 2 hours. A number of these spaces were occupied at the time of my site visit, which corroborates the Council's assessment that they are taken up very quickly by residents and visitors to the area. At the end of this facility, to the north of the site, is a loading bay.
4. The Council consider that the removal of the existing boundary treatment along the site's frontage, the replacement of the hard surfacing, and the provision of a drainage channel amount to permitted development. There is no evidence to suggest that I form a different view to the Council. No harm would also occur in respect of the character and appearance of the area given other properties nearby have open frontages. Thus, my focus shall be the effect of the proposed access arrangements and dropped kerb.

5. Although the existing boundary treatment would be removed, the depth of the hardstanding between the front elevation of the property and the footway would be insufficient to park a vehicle end on to the property without the front or rear part of the vehicle extending into the footway and obstructing its users. The Council explain that the footway is usually well-used by people accessing nearby shops, schools and a medical centre among other things. There is no evidence to contradict this view. Vehicles reversing out onto Deepdale Road would also be doing so into busy traffic flows and with limited visibility due to parked vehicles either side of the appeal property. This would not be a safe practice. Even if vehicles do park in front of nearby properties and extend into the footway, there is no evidence to suggest that these arrangements benefit from planning permission. Nor does it mean that the proposed arrangement is satisfactory in highway terms. Parking in this manner at other properties is a matter that lies outside the scope of this appeal.
6. Vehicles may be able to park side onto the property. However, this would need a considerable number of manoeuvres. These would alone or in combination: affect the flow of traffic on Deepdale Road; affect the use of the footway; and impair visibility for other road users. Such manoeuvres would also take place in an environment where visibility of other road users would be likely to be affected by parked vehicles, vehicles queuing for the traffic lights or to turn right into St. Stephens Road to the north. Changes have been made to the road layout in recent years. Nonetheless, even if I were satisfied that road safety would not be prejudiced by this arrangement, it is unclear whether the area to the front of No 275 is large enough to accommodate side on parking of a vehicle considering the proposal is intended to improve the safety, health and comfort of a person with disabilities.
7. While the appellant may not have witnessed an accident themselves, the evidence before me points to 4 recorded incidents in the last 5 years near to the site involving vehicles and pedestrians. This only emphasises the potential consequences of the proposed development on the safety of road users.
8. I therefore conclude that the proposed development would result in an unacceptable impact on the safety of road users in Deepdale Road. As such, the proposal would not accord with Policy ST2 of the Preston Local Plan 2012-26 Site Allocations and Development Management Policies. This requires all development proposals to show that: road safety and the efficient and convenient movement of all highway users (including bus passengers, cyclists, pedestrians and equestrians) is not prejudiced.

Other matter

9. It appears to me that the appeal property sits outside of the Moor Park Conservation Area (MPCA). In any event, the form, design and function of the proposal leads me to consider that it would have a neutral effect on the character and appearance of the MPCA. Thus, it would preserve the MPCA.

Conclusion

10. For the reasons set out above, I conclude that the appeal is dismissed.

Andrew McGlone

INSPECTOR