
Appeal Decision

Site visit made on 9 November 2020

by L Gibbons BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 November 2020

Appeal Ref: APP/M2325/W/20/3256722

126 Preston Road, Lytham St Annes FY8 5AE

- 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 Angela Quigley against the decision of Fylde Borough Council.
 - The application Ref 20/0264, dated 14 April 2020, was refused by notice dated 8 June 2020.
 - The development proposed is the formation of vehicular access to serve 126 and 126A Preston Road including removal of cobble pavement feature and formation of 1.2m high gate posts. (Resubmission of application 19/0801).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description of development as set out in the Council's Decision Notice as this more accurately describes the proposal.

Main Issue

3. The main issue is the effect of the proposal on highway safety.

Reasons

4. The appeal site is located on Preston Road. Nos 126 and 126A Preston Road are located to the south of the road at its junction with Saltcotes Road. The junction is a roundabout. A pavement and an area of cobbles separate the front boundary of the properties from the road.
5. It is proposed that two cars, one for each property, would park side by side in the area belonging to the frontage of No 126, with space for manoeuvring the cars in the area belonging to the frontage of No 126A. There would be two gateposts either side of the access. The access to the parking area would be directly on to the roundabout. It is proposed to remove part of the cobbled area in between the pavement and the road, and to include white lines to indicate that cars entering the roundabout from the access should give way.
6. At the time of my visit during mid-morning, Preston Road and the roundabout were busy with traffic turning to and from Saltcotes Road and travelling in and out of Lytham St Annes, consistent with the Council's assessment of the importance of the route. The roundabout does serve to slow traffic and the visibility of traffic travelling along Preston Road and Saltcotes Road, and on the

roundabout is good if cars were to enter the roundabout in forward gear from the proposed access.

7. The proposed plan would allow two vehicles parked side by side to enter and leave the parking area so they could approach the roundabout in forward gear. The highways authority has no in-principle objection subject to conditions. However, there are still circumstances which could lead to vehicles having to reverse back out directly on to the roundabout. For example, if two cars are already parked in the spaces provided, there would not be sufficient space for other vehicles to enter and leave in forward gear. There would also be no way to prevent delivery vehicles waiting or parking on the area between the roundabout and the entrance to the parking spaces.
8. I accept that these types of events may be sporadic and have the potential to be monitored or detected by the Council. However, the effects of this would be different than other types of conditions where events may also be sporadic, such those dealing with noise for example. Sporadic events may be also be acceptable in other locations but in this case, it is most likely that incidents would come to the Council's attention through reporting of accidents or near misses at the roundabout.
9. Appendix A of the Circular 11/95 has been retained and includes model conditions relating to parking. Although conditions could be attached and enforced, which would ensure the implementation and retention of the area as shown on the proposed plans, these would fail to deal with other road users visiting the appeal site from reversing on to the roundabout. These situations would harm the safety of road users and affect the smooth flow of traffic at the roundabout.
10. A condition relating to the type of material to be used on the area between the parking area and the highway would be necessary and could be attached to the grant of planning permission. However, this would not overcome the harm I have found.
11. For the reasons given above, I conclude that the proposal would cause harm to highway safety. It would conflict with Policy GD7 of the Fylde Local Plan (2018) criteria j) and q), which amongst other things seeks new development that does not compromise highway safety or prejudice highway safety, pedestrian safety, and the efficient and convenient movement of all highway users. It would conflict with the National Planning Policy Framework where it relates to safe and suitable access, and unacceptable impacts on highway safety.

Conclusion

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

L Gibbons

INSPECTOR