



Appeal Decision

Site Visit made on 13 July 2021

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd August 2021

Appeal Ref: APP/E2001/W/21/3271889

36 Station Court, Hornsea HU18 1QD

- 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 Trevor Prescott of DJ Prescott (Builders) Ltd against the decision of East Riding of Yorkshire Council.
- The application Ref 20/01481/PLF, dated 13 May 2020, was refused by notice dated 26 February 2021.
- The development proposed is the erection of a dwelling and the provision of car parking.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following the submission of the appeal a revised National Planning Policy Framework (the Framework) was published. The main parties have been given the opportunity to comment on this. I have taken account of the revised Framework in my decision.

Main Issue

3. The main issue is the effect of the proposed development on highway safety, with particular regard to parking provision.

Reasons

4. The appeal site is an open area of land located between 36 and 38 Station Court, a residential area. The availability of parking within the curtilages of the dwellings on Station Court for residents and visitors is limited. Numbers 38, 40 and 42 have no off-street parking provision. Station Court is a narrow road with a shared surface for vehicles and pedestrians. There are thus very limited opportunities for on-street parking without causing an obstruction to vehicles using the road or to existing driveways and presenting a safety risk to road users and pedestrians. There are double yellow lines for a short distance at the northern end of Station Court further restricting on-street parking capacity.
5. The Council states that the appeal site formed part of the planning application for the original development of Station Court in which a total of six parking spaces were to be provided and thereafter retained in the interest of highway safety. The Council acknowledges that it is difficult to confirm the exact parking arrangements approved. Based on the Council's submissions and what I observed on site, it would be reasonable to conclude that the appeal site was allocated as formal parking for the housing development, but the space

available would make it very difficult to accommodate six parked cars. I agree with the Council that the appeal site could only comfortably accommodate up to five cars.

6. The proposed development would provide six parking spaces, which the Council state is the minimum expected for the proposed development. This would include one space for the proposed new dwelling and five spaces to replace the current parking provision. The Council also states that the size of the proposed parking bays would meet those of a standard parking bay.
7. Notwithstanding this, the size and layout of the proposed parking area, together with the proposed built development within the site and the boundary fence would result in significant manoeuvring difficulties for users of the parking spaces, including across the pedestrian access area for the entrance to the flat in the case of space four in particular. The proposed development would therefore result in a material increase in the likelihood of vehicles manoeuvring within and being parked on Station Court. This would present an unacceptable risk to the safety of road users and pedestrians and to the free flow of traffic on Station Court for the reasons set out above.
8. Furthermore, given the location of space six, there is the potential for a reduction in parking provision should access be needed to the service strip. The evidence before me suggests that existing residents may make use of the service strip, but this does not reduce the current formal parking provision at these properties.
9. The appellant states that the proposed development would provide five surfaced parking spaces for neighbouring residents and so would improve the current situation. Whilst the proposed development would result in a more formal parking arrangement, this does not provide sufficient justification to allow a development that gives rise to the highway safety concerns identified above, nor does the fact that vehicles from existing properties have to manoeuvre on to Station Court.
10. I acknowledge the appellant's submission about the lack of recorded accidents in the vicinity of the appeal site. However, the layout of the proposed parking bays and the nature of Station Court are such that the proposed development represents a significant risk to highway safety for road users and pedestrians and to the free flow of traffic, given the nature of the manoeuvring that would be required to make use of the parking bays and the increased likelihood of on-street parking that would result.
11. For the reasons given above, the proposed parking arrangement would not be acceptable. As such, the proposed development would have an unacceptable impact on highway safety and on the efficient use of the highway. The proposed development would therefore conflict with Policy ENV1 of the East Riding Local Plan 2012 – 2029 Strategy Document, adopted 2016, which requires development to promote equality of safe access, movement and use amongst other matters. It would also conflict with the Framework which states that development should be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

Other Matters

12. The appellant has identified a number of benefits of the proposed development, which I have had regard to.
13. The proposed development would contribute to the supply of housing with associated economic, social and environmental benefits, although the benefits stemming from one dwelling would be limited. The Framework promotes the effective and efficient use of land including under-utilised land, whilst ensuring safe and healthy living conditions and taking into account the importance of securing well-designed, attractive and healthy places. Given the concerns about the unacceptable parking arrangement, the proposed development would not fully accord with the Framework in this regard.
14. On the basis of the evidence before me, I do not agree with the appellant that the appeal site would be classed as previously developed land because the Framework defines that in its Glossary as "land which is or was occupied by a permanent structure" – which is not the case here. I do acknowledge that the proposed development would make use of a site that is within the development limits of Hornsea. The proposed development would be in keeping with the street scene and would result in a more formalised site than is presently the case, including small landscaped areas to the front. However, the appearance of the appeal site and views across it towards the gable wall of the terrace to the west are not harmful to the character or appearance of the area and the weight given to any potential improvement to the street scene would be limited.
15. The appeal site lies outside of but just to the east of the Hornsea Conservation Area. The current gap in built development provided by the appeal site only allows for some very limited views into and out of the Conservation Area. As such, the appeal site does not represent an important open feature in terms of the significance of the Conservation Area. The scale and design of the proposed development would be in keeping with the properties on Station Court. The proposed development would not therefore harm the setting of the nearby Hornsea Conservation Area or its significance as a heritage asset and would preserve its character and appearance.
16. At the entrance to Station Court to the north east of the appeal site is a former railway station which is a grade II listed building. Its significance lies in part from the evidence it provides of the architectural style of the time and its historical associations with the advent of rail and its role in the development of Hornsea. The appeal site is an infill site separated from the listed building by existing residential properties. The proposed development would be in keeping with the scale, design and building line of these existing residential properties. Given this context, the proposed development would not harm the setting of the listed building and would not harm its significance as a designated heritage asset. In reaching this conclusion, I have had special regard to the desirability of preserving the setting of the listed building.

Conclusion

17. I have had regard to the benefits put forward in support of the proposed development. These benefits do not, individually or cumulatively, outweigh the unacceptable impact on highways safety due to the inappropriate parking provision.

18. For the reasons given above, the proposed development would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. I conclude therefore that the appeal should not succeed.

F Wilkinson

INSPECTOR