

Appeal Decision

Site visit made on 12 September 2023

by John Whalley

an Inspector appointed by the Secretary of State

Decision date: 23 October 2023

Appeal ref: APP/N4205/D/23/3321283

162 Blackburn Road, Egerton, Bolton BL7 9SB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of planning permission.
 - The appeal is made by Mr Philip Glover against the decision of Bolton Metropolitan Borough Council. The application, ref. 14804/22, dated 13 October 2022, was refused by a notice dated 18 April 2023.
 - The development is: Installation of dropped kerb to front of property together with alterations to front garden to make a driveway.
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Decision

1. The appeal is dismissed.

Main issue

2. The decision turns on the likely effect of the new parking area works on highway safety in the immediate vicinity of the project. Possible adverse effects on the appearance of the street scene in this part of the Egerton Conservation Area are also considered.

Appeal site and proposal

3. The Appellant, Philip Glover's home at No. 162 Blackburn Road, Egerton, is at the southern end of a short row of 2 storey houses fronting on to the principal road, A666. There is an Italian restaurant immediately south of the appeal site side garden of No. 162. A marked off lay-by allows unrestricted car parking along the A666 for some distance each side of No. 162's frontage.
4. Mr Glover wishes to construct a small parking area close to the gable wall of his home, paving an area within his garden having removed a low stone wall. The footway kerb would be dropped to ease crossing.

Considerations

5. The Council's Conservation and Design Officer said Mr Glover's on-site one car parking area would require removal of part of the garden and its front boundary. Both made a positive contribution to the street scene and the Egerton Conservation Area. The works would fail to conserve the character of the area. That would be contrary to Policy CG3 of the Core Strategy. The Council's other concern was that the small garden meant a car would have to be driven to enter or leave in reverse, to the detriment of highway and pedestrian safety.

6. Work to open up the frontage of Mr Glover's side garden has been carried out. Even so, the garden and the footway edge had a pleasing look. The work that made this an attractive feature was evidently the result of Mr Glover and his wife's gardening efforts rather than any dependence on an intrinsic feature of the Conservation Area here. Parking a car as proposed would now require little more work than moving large planted pots. The garden frontage would remain attractive, the projected car parking use causing no harm to the street scene, preserving the appearance of this part of the Conservation Area.
7. I consider that visibility along the A666 Blackburn Road footway and to traffic on the road would be adequate for the anticipated limited use of the proposed parking area at No. 162. However, I am concerned that the new parking layout would not provide any space to turn a car to allow it to enter or leave the A666 road in forward gear. A reverse manoeuvre either in or out of the proposed parking space would be not only slowly awkward and difficult, but could be hazardous to the car parking area user and to traffic on the main road. There would be an additional undesirable problem of a car entering and leaving the curtilage of No. 162 having to cross the A666 car parking layby. Cars parked in the layby, assuming they were not parked across the new access, would limit visibility, a problem exacerbated by an access or an egress having to be made in reverse.
8. The proposed off-road parking area would be an undoubted asset to the occupants of the house at No. 162, providing additional security and convenience. It could also facilitate easy charging for an electric vehicle. But those benefits do not override concerns of a significant reduction in highway safety.

Conclusion

9. For the reasons outlined above, the appeal is dismissed.

John Whalley

INSPECTOR