



Appeal Decision

Site visit made on 23 July 2024

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th August 2024

Appeal Ref: APP/N4720/W/24/3340526

263 Roundhay Road, Leeds LS8 4HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr I Ahmed of Emaan Travel against the decision of Leeds City Council.
 - The application Ref is 23/00784/FU.
 - The development proposed is change of use, to convert part of existing travel agents (12m2 office) to a private hire booking office. (Class E(a) to sui generis) The proposed private hire booking office is to be accommodated on the ground floor within the office at the rear. The remaining open plan office at the front of the property will remain as is. The ground floor includes access to the existing toilet facilities.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal makes suitable provision for the safe access and parking of vehicles and operation of the local highway network.

Reasons

3. The appeal site is a three-storey brick-built property located on the corner of Roundhay Road and Beck Road. It is a prominent building with a range of detailed architectural features including a domed turret on its corner. The ground floor of the property is currently used as a travel agents. There is some external space which runs along the side of the building along Beck Road stepping downwards from Roundhay Road. This space is bounded by a brick wall with fencing above and accessed via a pedestrian gate and a larger double gate.
4. The site is located within the Harehills Corner retail centre, which is identified in the Site Allocations Local Plan. The local area comprises a number of different retail and commercial uses, which are located on either side of Roundhay Road, a busy dual carriageway.
5. There are numerous side streets running from Roundhay Road, which are heavily used for parking due to a general lack of off street parking, with many having restrictions under traffic regulation orders. Beck Road is one way with access only onto Roundhay Road. There are a number of parking bays along one side of the road with unrestricted access to the other which I saw was also heavily parked. Parking is restricted by double yellow lines on Roundhay Road and the very top of Beck Road. Beyond the commercial nature of Roundhay

Road the adjacent streets are predominantly residential. While only a snapshot in time at my site visit, given the lack of off street parking and that there is no substantive evidence otherwise, I am satisfied that the area is subject to heavy parking demand.

6. The proposal is for the partial change of use for a travel agents (Class E) to a private car hire booking office. It is proposed that a maximum of 3 private hire vehicles would operate at one time with shifts running from 7am to 5pm and then 5pm to 12pm every day. All the drivers would work remotely with the office operating as a remote satellite office. There is currently one member of staff employed by the Travel agents who works from 10am to 5pm. The proposal is that bookings would be made via the internet and drivers would not be allowed to visit the office.
7. Policy T2 of the Core Strategy says that parking provision will be required for cars, motorcycles and cycles in accordance with current guidelines. Policy GP5 of the Leeds Unitary Development Plan Review (2006) (UDP) says that proposals should amongst other things seek to avoid danger to health or life and highway congestion and maximise highways safety.
8. The Leeds City Council Transport Supplementary Planning Document (2023) (SPD) suggests that for new businesses 1 space per vehicle should be provided as well as one space per base employee. The Council has confirmed that the proposal would therefore require the provision of two spaces, one for the operation of the travel agents and one for the operation of the vehicle hire company.
9. The proposal includes the provision of two car park spaces within the outside area of the appeal site. I noted on my site visit that this area has restricted space between the building line and the walled boundary, which due to the angles would make it very difficult to safely utilise one of these spaces.
10. As vehicles would not be able to turn around within the site, they would need to reverse onto Beck Road to exit the area. The height and materials of the boundary wall would restrict the inter-visibility between vehicles exiting the site and other road users and pedestrians. It would also mean that drivers would have to reverse towards the junction of Back Hill Top Mount, where vehicles are required to turn into Beck Road, leading to a potential conflict in car movements at this junction. The entering and exiting of the spaces by the drivers would therefore be to the detriment of the safety of all concerned. Consequently, sufficient car parking provision cannot be provided on site.
11. Following negotiation with the Council it is proposed that an additional 3 parking spaces would be provided to the rear of Roundhay Accountants at 305 Roundhay Road, one of which would be an EVCP point. This site has capacity for 6 car park spaces which would also provide 1 space for the accountant's office staff and 2 spare spaces for customers.
12. The leaseholder of No 305 has confirmed in writing that 3 spaces would be made available to the appellant for the hire car drivers, subject to a formal contract. However, even if it were possible, I do not have a legal agreement which secures the use of the three car parking spaces in association with the private hire booking office and therefore cannot reach a conclusion as to whether this would be either practicable or enforceable. I have therefore

considered the case on the basis of the car parking provision that can be provided within the boundary of the appeal site.

13. In the absence of the provision of suitable off-road parking there would be an increased demand for on-street parking in the streets near to the office in an already congested area. This would create an additional hazard for road users as drivers search for a parking space which would unacceptably interrupt the free flow and efficient movement of traffic in the immediate vicinity.
14. Although the appellants have said that drivers would not be allowed to use the office, I note that the Council's taxi licencing team say that private hire operator bases in prominent locations tend to attract drivers for a variety of reasons such as dealing with technical issues, making complaints, paying fees and general administration purposes. I have no evidence before me which sets out how these matters would be addressed remotely and consequently that this would not further increase the likelihood of on street parking.
15. I therefore conclude that the proposal fails to make suitable provision for the safe access and parking of vehicles and operation of the local highway network. It is therefore contrary to Policy T2 of the CS, policy GP5 of the UDP and the SPD, which seek to provide appropriate levels of car parking and maximise highway safety. It would also be contrary to the principles of promoting sustainable transport contained in Chapter 9 of the National Planning Policy Framework.

Other Matters

16. I Note that the proposal is not considered to generate a level of disturbance which would be disruptive for residents. Nevertheless, this would be neutral in the planning balance.

Conclusion

17. The proposal conflicts with the development plan as a whole and material considerations do not indicate that the appeal should be decided other than in accordance with it.
18. For the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR