



Appeal Decision

Site visit made on 14 August 2024

by J Hills MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2024

Appeal Ref: APP/N1160/W/24/3339436
843 Wolseley Road, Plymouth PL5 1JP

- 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 Mark Catchpole against the decision of Plymouth City Council.
 - The application Ref is 23/01704/FUL.
 - The development proposed is demolition of existing dwellinghouse and erection of two new dwellinghouses.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant has provided revised drawings that they claim were submitted prior to the Council making its decision. This has not been disputed. The plans show detail of the proposed parking arrangements, annotating space widths. They do not lead to a substantially different application. The Council has had the opportunity to comment on these revisions. Consequently, in accepting these drawings, I am satisfied that there would be no procedural unfairness to those involved in the appeal.

Main Issue

3. The main issue is the effect of the development on highway safety and the convenience of local residents with particular regard to proposed parking arrangements.

Reasons

4. The appeal site lies within a residential area where the road/junctions are narrow, and a significant number of properties have no off-road parking. Here, the evidence shows that opportunities for residents or their visitors to park are limited. At my mid-morning visit I observed that although some parking spaces were available, long stretches of the adjoining narrow road contained parked vehicles. Whilst my observations only represent a snapshot in time, it is likely that parking pressures would be amplified at busier times of the day, such as when residents return from work.
5. My attention has been drawn to the Council's Plymouth & South West Devon Joint Local Plan (JLP) Supplementary Planning Document (SPD). In part, the SPD provides additional detail in respect of specific provisions relating to transport contained within JLP Policy DEV29. As such, the SPD is a material

consideration that can be afforded significant weight in support of the JLP policy.

6. There is no dispute between the main parties that 2 off-street parking spaces per property would be required, as set out in the SPD. The proposal would include a pair of semi-detached properties. Their road fronted gable elevations would include integral parking spaces. Although not designed to include an opening garage door, these spaces would be part and parcel of the ground floor space. In that context, their outer walls and roof would represent core elements of the building. Consequently, their appearance and probable functionality would be more closely aligned with an integral domestic garage, rather than a car port as described by the appellant, or an open parking bay.
7. The appellant says that the 2 tandem spaces per property would meet the length of parking bay dimensions required in the SPD. Additionally, the Council's highway officer comments in respect of hardstandings are noted. Even so, for the reasons given, a far greater length of space would be required for this particular type of integral parking. This is shown to be the case within the submitted plans, where 2 vehicles take up almost all of the length of space to be provided. The necessary manoeuvring of vehicles in such a manner would be likely to be inconvenient and extremely difficult to achieve, particularly on a regular basis. Therefore, whilst the width of parking spaces would meet standards set out in the SPD, I find it very unlikely that the scheme would enable a sufficient provision of off-road parking.
8. Accordingly, the lack of necessary on-site parking provision would mean that occupants and visitors of the appeal site would be very likely to park on the roadside. Therefore, given the identified parking shortages in the locality, opportunities for other local residents to park on the roadside would be reduced. This, in turn, may force residents to park further afield or near the narrow junction where turning movements would have the potential to be restricted. This would be likely to be inconvenient and could cause highway safety issues for other road users.
9. I therefore conclude that the proposal would lead to inconvenient roadside parking arrangements that would be likely to harm highway safety. As such, it would be in conflict with Policy DEV29 of the JLP which, amongst other things, says that development proposals should ensure sufficient provision of car parking in order to protect the amenity of surrounding residential areas and ensure safety of the highway network.

Other Matters

10. My attention has been drawn to a previous appeal¹ at this site where the turning of vehicles was at issue. I find no reason to disagree with the previous Inspector's findings in this regard. Nevertheless, that matter has not been contested by the Council within this appeal.
11. I have paid regard to the appellant's comments in respect of the Council's suggested conditions. However, as I am dismissing the appeal I have not pursued these matters further.
12. The appeal site is within an area identified as having the potential to have a likely significant effect on the Plymouth Sound and Estuaries Special Area of

¹ Appeal Ref: APP/N1160/W/23/3317645

Conservation (SAC) & Tamar Estuaries Complex Special Protection Area (SPA). These are statutorily protected habitats sites under the Conservation of Habitats and Species Regulations 2017 (as amended). Within the context of this appeal, the responsibility for assessing the effects of the proposal on the European designated sites falls to me as the competent authority. Had I been minded to allow the appeal, and the circumstances therefore existed in which planning permission could be granted, it would have been necessary for me to examine this matter further, and to undertake an Appropriate Assessment (AA) of the implications of the appeal scheme for the European designated sites.

13. However, as the identified harm in respect of highway safety provides a clear reason for dismissing the appeal, the outcome of any such AA would have no bearing on the overall outcome of this appeal. There is therefore no need for me to consider this matter any further as part of my decision since any findings on this issue would not change the appeal outcome.

Conclusion

14. For the reasons above, and taking into account all other matters raised, I conclude that the proposed development would conflict with the development plan. There are no considerations individually or cumulatively that outweigh this conflict. Therefore, the appeal is dismissed.

J Hills

INSPECTOR