



Appeal Decision

Site visit made on 11 March 2025

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2025

Appeal Ref: APP/M3455/W/24/3353501

886 London Road, Stoke-on-Trent ST4 5NX

- 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 A King against the decision of Stoke-on-Trent City Council.
 - The application Ref is 70792.
 - The development proposed is change of use to car sales and storage alongside replacement office and storage buildings with vehicular access (Sui Generis).
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is located on London Road, a major thoroughfare containing commercial and residential properties. A footpath lines the road to the site frontage. At my mid-morning weekday site visit there was a steady flow of traffic along London Road and a steady flow of pedestrians using the footpath. I observed that there were cars parked in the road and on the pavement, including close to the site entrance, and that there were limited opportunities to park in the road. Whilst this is a snapshot in time, there is nothing in the evidence before me to suggest that these observations are atypical of the area.
4. The proposal seeks to change the use of the site to car sales and storage. The proposed layout would accommodate 4 or 5 sale vehicles and 2 parking spaces to the site frontage for staff and customers. The layout indicates that there would be sufficient space within the site for the proposed 4 or 5 sale vehicles to manoeuvre so that they can enter and exit the site in a forward gear and there is no compelling evidence that the layout would be unable to accommodate the number of vehicles proposed to be stored on the site.
5. One staff parking space would be provided. Noting the limited scale of the operation and the site's location in relation to nearby residential areas and public transport, there is no evidence that this would be insufficient to serve the development. Similarly, the provision of one customer parking space would appear to be adequate to meet the needs of the development given its limited scale.
6. It is stated that most vehicles would arrive individually or on smaller vehicles and a condition is suggested which, it is stated, would ensure that loading and unloading

occur within the site boundaries. However, in the absence of a tracking plan for delivery vehicles I cannot be assured that the site layout has the capacity for loading and unloading of vehicles within the site boundaries. This casts doubt on whether such a condition could be complied with. Without this detail it has not been demonstrated that the proposal would not result in delivery vehicles reversing onto or off the site, causing the potential for conflict with other road users and pedestrians using the footway, to the detriment of highway safety, or for delivery vehicles parking within the highway during times of loading and unloading, causing the potential for disruption to the free flow of traffic on London Road. Consequently, it hasn't been satisfactorily demonstrated that the delivery of vehicles would not have an adverse impact upon highway safety.

7. This proposal follows a previous appeal for the change of use of the site to car sales and storage¹ and the appellant has sought to address the concerns of the Inspector by reducing the number of vehicles stored on the site, removing the access from the rear alleyway and incorporating a turning area for vehicles stored on the site. Nonetheless, for the reasons set out above, it has not been satisfactorily demonstrated that the delivery of vehicles to the site would not have a harmful effect on highway safety. Accordingly, it is not compliant with those aims of policies ASP3 and SP3 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) (2009) which seek, amongst other things, to create safer environments.

Other Matters

8. The Council raised no objections to the proposal on grounds of the effect on the living conditions of the occupiers of neighbouring properties or the effect of the proposal on the character and appearance of the area. Based on the information before me and my observations on site I see no reason to take a different view. Nonetheless, compliance with the relevant development plan policies on these matters would be required in any case. Therefore, these matters weigh neutrally, rather than in favour of the proposal.
9. The appeal proposal would bring a previously developed vacant site into productive use and CSS policy ASP1 is supportive of the redevelopment of brownfield sites. However, the potential harm that would result to highway safety is not outweighed by the benefit of the redevelopment of this site. Conflict therefore arises with the development plan as a whole.

Conclusion

10. For the reasons given above the appeal should be dismissed.

N Robinson

INSPECTOR

¹ APP/M3455/W/23/3316211