



Appeal Decision

Site visit made on 25 June 2018

by Kevin Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 July 2018

Appeal Ref: APP/L3245/W/18/3196698

17 Maple Close, Ludlow SY8 2PT

- 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 Nick Beard against the decision of Shropshire Council.
 - The application Ref 17/04078/FUL, dated 17 August 2017, was refused by notice dated 20 November 2017.
 - The development proposed is erection of two flats.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the safety and convenience of users of the adjacent highway network, with particular reference to parking.

Reasons

3. Maple Close has a mix of off-street parking on front drives, and assigned parking within private parking courts including one to the rear of the appeal site. Some properties did not appear to benefit from either of these, and I observed several cars parked on the street, which given my visit was in the mid-afternoon, would indicate that further on-street parking is likely to occur in the evening as people return from work. The proposal does not include off-street parking for the two flats.
4. The appellant states that the flats would not generate significant demand for private transport, due to local bus services and shops being within walking distance, and reference is made to a 2004¹ appeal decision in this respect. Whilst the appeal site may fall within the catchment area of the shop envisioned by the Inspector in 2004, there is a limited range of services offered which are unlikely to fulfil the day-to-day needs of future occupants. The bus service would offer an alternative mode of transport into Ludlow town centre, where a full range of services are available, but as it does not operate in the evenings or on Sundays, it seems probable to me that the occupants of the proposed flats would still be highly reliant on the private car in order to access many day-to-day services.

¹ Appeal Ref: APP/K3225/A/04/1137975

5. Although the appellant states that the estate was developed for low car ownership, the Council provides figures which indicate high levels of car ownership in Ludlow, and given the site's location towards the outskirts of the town, close to the main road network, and the distance to the main concentration of services in the town centre, it is reasonable to conclude that future residents would be more likely than not to own a car and require parking. Whilst not large in size, the proposed one-bedroom flats could each be occupied by two people who, if each owned a car, would generate noticeable additional demand for parking within the immediate vicinity.
6. The appellant indicates that No 17 has two assigned parking spaces, and that allocation of these between the existing dwelling and proposed flats would be a management issue. It is unclear how management of the spaces would be undertaken, and I am not persuaded that this would be practical or effective in preventing additional on-street parking taking place. The proposal would result in two spaces between three units. Occupants of at least one of the units would not be able to park at the rear, or would use one of the visitor spaces within the parking court if available, which is not guaranteed, nor is it their intended purpose. The proposal is likely to result, therefore, in increased demand for on-street parking within the adjacent roads on Maple Close.
7. The access road to the rear parking court and driveways to Nos 7, 19 and 21 surround the end of the cul-de-sac closest to the main pedestrian access to the appeal site. Parking in this area would be likely to result in obstruction of one or more of these access points and lead to hazardous manoeuvres by drivers to avoid parked cars, increasing the risk to pedestrians and other road users. The lack of suitable parking areas close to the appeal site would also result in future occupants seeking to park further away, causing inconvenience for themselves and other residents if vehicles are parked close to neighbouring drives, on or near bends or mounted on footpaths.
8. Therefore, for these reasons, the proposal would cause harm to the safety and convenience of users of the adjacent highway network.
9. The Council did not refer to specific development plan policies in its decision notice. However, based on its appeal statement, I consider relevant policies to be Policy CS6 of the Shropshire Local Development Framework Adopted Core Strategy (March 2011) (the ACS), and Policy MD2 of the Site Allocations and Management of Development (SAMDev) Plan (December 2015), which together require development to be designed to a high quality using sustainable design principles to achieve an inclusive and accessible environment, including appropriate car parking provision, and by responding appropriately to the form and layout of existing development and the way it functions. Given my findings above, the proposal would conflict with these policies.
10. The proposal would also conflict with the guidance of the National Planning Policy Framework, which requires development to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Other Matters

11. I acknowledge that the Council granted outline planning permission for a single dwelling on the same site in 2016², concluding that the proposal would

² Council Ref: 16/00708/OUT

be likely to result in increased pressure for on-street parking and a degree of inconvenience, but that parking was available within the area and that it would not lead to harm in terms of highway safety. Notwithstanding that the Council was prepared to accept some increase in on-street parking in approving the outline permission, the addition of one more residential unit and resulting additional demand for parking would be a material difference between the schemes. Therefore, whilst I have taken this decision into consideration, it does not justify allowing the proposal which has been found on its own merits would have a harmful effect in respect of highway safety.

12. The Council raises no objection in respect of the design of the building or the effect on living conditions of neighbouring residents. I have no reason to conclude otherwise, based on all I have seen and read. These are neutral effects, however, which do not outweigh the harm identified in respect of the main issue.
13. The Council objects to the appellant's submission of a plan indicating the location of parking spaces to the rear, stating that it alters the site area, but has not been subject to consultation. The appellant indicates the plan is intended to be illustrative of points made in his appeal statement. Even if I were to accept the plan as part of the appeal drawings, it does not lead me to a different conclusion in respect of the main issue.
14. In reaching my decision, I have taken into account that the principle of residential development of the site has been accepted, and the proposed flats would make a contribution to the housing stock, and a small economic benefit from their construction and occupation. However, these are very limited benefits which are clearly outweighed by the harm I have found in respect of the main issue.

Conclusion

15. For these reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Kevin Savage

INSPECTOR