The Planning Inspectorate

Appeal Decision

Site Visit made on 1 June 2021

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2021

Appeal Ref: APP/P4225/W/21/3269687
Vacant Site, 53-61 Tweedale Street, Rochdale OL11 1HH

- 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 Usman Anjum of Sigma Property Ltd against the decision of Rochdale Metropolitan Borough Council.
- The application Ref 20/01011/FUL, dated 13 August 2020, was refused by notice dated 5 November 2020.
- The development proposed is erection of two and a half-storey building with dormers to rear roofslope comprising of 4 no. retail units (Class A1) at ground floor with 4 no. self-contained apartments (Class C3) above.

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Usman Anjum of Sigma Property Ltd against Rochdale Metropolitan Borough Council. This application is the subject of a separate Decision.

Preliminary Matter

3. For the sake of clarity and brevity I have used the description of development from the Council's decision notice.

Main Issue

4. The main issue is the effect of the proposal on highway safety with regards to parking.

Reasons

5. The surrounding area is characterised by a mix of mainly residential and commercial properties. The proposal would front primarily onto the main road of Tweedale Street but would also have access from the road to the south. Four parking spaces are proposed to the rear which would be for the four residential units.

6. The Council's Highway Engineers has not raised any objections to the scheme. They have confirmed though that the Rochdale Core Strategy 2016 (CS) parking standards indicate that a proposal of this type, size and location requires 14 dedicated parking spaces which breaks down as 7 for the residential development and 7 for the retail development. Whilst I acknowledge the parking standards are maximum, the proposal for four spaces is

significantly below the requirement for 14 and therefore would not accord with these parking standards.

7. The residential part of the development proposes four separate units, two with 2 bedrooms and two with 1 bedroom. Given the size of the bedrooms and the residential units in totality, these properties would reasonably accommodate more than one resident per unit. The demand for parking from the residential part of the development would be over the four spaces that are proposed to be provided.

8. The appeal site is within an accessible location being close to public transport. There are other commercial units in the area which do not have allocated parking and there are Traffic Regulation Orders in place in the area restricting parking such as on Tweedale Street. It has been described that the site is in an area generally operating as a local centre where the majority of retail units gain custom from surrounding areas by customers accessing the amenities by foot. Nevertheless, the introduction of four retail units would attract some customers that travel to the area by means of a vehicle and therefore the proposal would create a demand for parking in connection with the retail part of the development.

9. The road to the south of the site is narrow and at my site visit it was difficult to manoeuvre along this road in a vehicle, particularly due to other vehicles that were parked. Many of the streets immediately surrounding the appeal site are also narrow with vehicles parked either side which further restricts vehicle movement. The parking of vehicles on the roads surrounding the appeal site appears to be a common feature supported by a significant number of local resident representations which detail concerns over parking in the area.

10. The demand for parking associated with the development would be greater than the four spaces proposed. This would result in vehicles associated with the development being parked on the surrounding streets which are already saturated with existing parked vehicles. The addition of further vehicles parking on the streets surrounding the appeal site, including the narrowness of the roads would create congestion and obstruction on the highway which would have an adverse effect on highway safety in the area.

11. Paragraph 109 of the National Planning Policy Framework (the Framework) states that development should only be prevented or refused if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Due to the size, nature and location of the proposal, it would create significant intensification on the surrounding highway network, in particular with regards to parking and would have an unacceptable effect on highway safety.

12. The appellant indicates that there a large short stay car park around a two minute walk from the appeal site and parking at nearby local shopping car park. However, I consider it unlikely that vehicles associated with the development, in particular future occupants of the residential properties would use these car parks as their primary parking option.

13. It is noted that there have been few accidents with only three collisions in the immediate area however the proposal would bring additional vehicles to the area that would result in further parking on the surrounding roads, creating

obstructions that could lead to hazardous scenarios in terms of safety to highway users.

14. I have had regard to the appellants statement of case and appendices which includes the history of the site and a suggested condition in relation to parking. These matters however do not outweigh the harm I have identified above. The appellant also states that pictures submitted by local residents were staged and that some objections were submitted by members of the same household. Whilst I have had regard to these comments, my assessment of this appeal is based on all the evidence submitted including my own observations during my site visit.

15. Accordingly, the proposed development would have a harmful effect on highway safety with regards to parking. The proposal would be contrary to Policies T2 and DM1 of the CS and paragraph 109 of the Framework which seeks development to provide adequate parking, ensure the transport network is safer and secure for all users and not have unacceptable impacts on highway safety.

16. There are concerns that increase in demand for on street parking in the area would result in additional inconvenience and hardship for local residents. Whilst I do not disagree with this point, residents not been able to park immediately close to their property would not fall to a level that would be harmful to the living conditions of occupiers of neighbouring properties. This matter does not alter or outweigh my findings above.

Other Matters

17. My attention has been brought towards the overarching portrait of Rochdale and the CS when considering mixed use proposals including the Green Belt which restricts new housing growth, Policy C1 of the CS which promotes the re-use of previously developed sites and that the appeal site is on Council's brownfield land register. The proposal would result in the development of a redundant site that would use sympathetic materials that would have positive effects on the character of the area, it would provide employment opportunities and good quality apartments in an accessible part of the Borough.

18. These matters and benefits, given the scale of the proposal, would only amount to minimal weight and would not outweigh the significant harm to highway safety as described in the main issue.

Conclusion

19. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.

20. Therefore, for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR