



Appeal Decision

Site visit made on 22 May 2009

by **Graham Garnham BA BPhil MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
26 May 2009

Appeal Ref: APP/H0738/A/09/2096759 70 Yarm Road, Stockton, Cleveland, TS18 3PE

- 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 Merhbaan Hussain against the decision of Stockton-on-Tees Borough Council.
- The application (Ref 08/2762/FUL), dated 27 August 2008, was refused by notice dated 29 October 2008.
- The development proposed is 'front parking bays & new access point to highway'.

Decision

1. I dismiss the appeal.

Procedural Matter

2. The planning application form indicates that the development proposed had been completed before planning permission was sought. I shall regard the proposal as one for development that has already been carried out. This does not affect my consideration of its planning merits.

Main issue

3. I consider that this is the effect of the proposal on highway safety on this part of Yarm Road.

Reasons

4. Three parking bays have been created in the front garden of an end terrace house. There is no associated footway crossing or dropped kerb. Yarm Road was the A135 principal road at the time the Council took its decision. It has since been reclassified as a 'C' road following the construction of a new link road. However, it remains a busy radial route for Stockton town centre. I observed a considerable amount of traffic at 1715 hours, including buses. Some vehicles were moving quite briskly along this straight stretch of road.
5. The development raises a number of highway safety concerns. There is inadequate room to turn a vehicle on site. This is likely to result in reversing into or out of the site. Kerb side parking is allowed on both sides of the road. This impairs the visibility of emerging vehicles and reduces the space for the free flow of traffic. The flow of traffic would be impeded while a vehicle from the north waits to turn right into the site. There are other accesses nearby to off street parking, which are not subject to any warning signs (these parking areas are larger than the appeal site, but have room to turn a vehicle round on them). There are bus stops on both sides of the road not far from the site, and light controlled crossings to both the north and the south. There are therefore

many existing potential hazards for drivers to be aware of, while negotiating busy traffic.

6. In this situation, I consider that the use of the front garden of no.70 for parking would put the safety of highway users at risk. There would be poor visibility during parking manoeuvres, distraction to passing drivers and impeding free flow on a busy road near several other potential hazards. I conclude that the proposal would have a significantly harmful effect on highway safety on this part of Yarm Road. This would be contrary to the purpose of saved policy GP1 in the Stockton-on-Tees Local Plan (1997).
7. I have had regard to the other examples of offstreet parking referred to. Neither these, nor the possible reduction in kerbside parking that the proposal may allow, offset the harm I have identified. No.70 has a vehicle width gate to the rear lane and a large, hard surfaced rear curtilage, which might provide a safer alternative. Moreover, my decision is consistent with other recent appeal decisions along Yarm Road.
8. I have considered all other matters raised but they do not alter my decision.

G Garnham

INSPECTOR