LEICESTERSHIRE COUNTY COUNCIL (AS HIGHWAY AUTHORITY)

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE ERECTION OF ONE DWELLING, DETACHED GARAGE AND FORMATION OF ACCESS

AT

REAR OF 8 SUTTON LANE

MARKET BOSWORTH

LEICESTERSHIRE

BY

LOCAL HIGHWAY AUTHORITY STATEMENT

PINS REFERENCE: APP/F2420/A/11/2158112

LOCAL PLANNING AUTHORITY REF: 11/00228/FUL

1. Description

1.1 The appeal site is situated between Sutton Lane to the east and Shenton Lane to the west. The appeal proposal would be served via a new direct access from Shenton Lane a Class III highway subject to a 30 mph speed limit. For the first 150m south from its junction with Market Place, Shenton Lane serves a police station, several residential properties, a side road and the town's cemetery, after which it becomes a rural lane for several miles until reaching the village of Shenton. In the vicinity of the appeal site, Shenton Lane is a semi-rural in nature having a hedgerow along its northern flank.

1.2 The appeal site is described on the application form as 'vacant-formally garden land' and therefore has little or no traffic generation associated with it.

1.3 In the vicinity of the appeal site Shenton Lane varies in width between 4.9-5.7 metres wide. There is a pedestrian footway running along the southern flank and the road is lit to side road standards. Save for the double yellow lines around the Market Place junction, there are currently no parking restrictions in place on Shenton Lane.

1.4 The appeal site is located less than 200 metres from the town centre and as a result on-street in the immediate area is prevalent.

1.5 In the vicinity of the site there has only been one Personal Injury Accident in the last 5 years. This accident took place at the junction of Market Place and Rectory Lane and involved a collision between a car and pedal cycle. Accident report attached as Appendix 2.

2. Highway Improvements

The County Council has no proposals for improving any roads in the vicinity of the appeal site.

3. Highway Development Control Policy Background

3.1 In May 2011, the Department for Transport published its Strategic Framework for Road Safety. Following significant progress in reducing road casualties in the UK in recent decades, this document sets out the strategic framework for road safety in the UK for the period 2011 to 2020. It includes the package of policies that the Government believes will continue to reduce deaths and injuries on the UK's roads. Reflecting its key principles of decentralisation and empowerment, the Government's approach to improving road safety increasingly provides local authorities with the freedom to make their own decisions on road safety so they develop solutions that best fit their own communities. However, at a national level, there remains a desire and commitment for Government to provide leadership on road safety through its efforts to deliver better driving standards and testing, through enforcement and education, through the management of the strategic road infrastructure and through research and the collation and provision of road safety information to support local delivery. Key national road safety themes include better education and training for all road users, particularly including children and learner and inexperienced drivers, remedial education for those who make mistakes and for low level offences, and tougher enforcement for tackling careless, dangerous and anti-social driving behaviour.

3.2 The Government's approach also increasingly recognises the key role that improving road safety plays in supporting wider Government objectives such as supporting the economy, protecting the environment and improving public health. The Government has proposed six key indicators which it will use to monitor progress in improving road safety

and reducing the number of fatalities and seriously injured casualties on the UK's roads. These include:

- The number of road deaths.
- The rate of car occupant, motorcyclist and pedal cyclist deaths per billion vehicle miles.
- The rate of pedestrian deaths per billion miles walked.
- The number of deaths resulting from collisions involving drivers under 25

Leicestershire Transport Plan 3

3.3 At a local level, reducing road casualties is a key priority in Leicestershire's third Local Transport Plan (LTP3), published at the beginning of April 2011. The approach to improving road safety in LTP3 aims to build on the success of Leicestershire's road safety strategy during LTP2 (2006-2011) when significant progress was made in reducing casualties on the county's roads. During LTP2 the total number of killed and seriously injured casualties on Leicestershire's roads fell by 26%, the number of children killed and seriously injured fell by 40%, the number of motorcyclists killed and seriously injured fell by 23% and the number of people slightly injured fell by 34%.

3.4 Leicestershire's road safety strategy is focused on providing a safer road environment for all road users, managing vehicle speeds, improving road safety for vulnerable road users and encouraging safer driving. The strategy continues to be shaped by the evidence that is available regarding casualties on the county's road network. It is for this reason that car occupant casualties continues to be the main road safety priority in Leicestershire's LTP3, with the majority of efforts focused on general road safety measures, aimed predominantly at all car drivers (including both younger and older car drivers). Leicestershire's strategy will also see extra effort made to reduce casualties amongst motorcyclists, pedestrians and cyclists, given their greater vulnerability compared to car occupants and also for network capacity, personal health and

sustainability reasons (all of which are key strategic drivers in Leicestershire's LTP3).

3.5 In terms of the measures that will be employed to tackle road safety priorities, Leicestershire's approach is a mixture of engineering, education and enforcement measures. A key part of the approach is also focused on ensuring that new developments do not make an existing road safety problem worse or give rise to new safety problems. In doing so, Leicestershire County Council is committed to working with developers and local planning authorities to ensure: that accesses into new development sites are suitably designed and subject to independent safety auditing where appropriate; and that the layout of any roads, footways and cycle routes within the site are designed to a high standard, are safe and can be readily maintained in the future. It should be noted that the County Council will, as appropriate, seek to resist development proposals that are considered likely to pose a hazard to road safety.

3.6 The outcomes delivered by Leicestershire's road safety strategy will be monitored using a robust performance management framework. The strategy has been designed to ensure that the number of road casualties in Leicestershire is reduced over the lifetime of LTP3. Stretching targets have been set to reduce the number of total casualties on Leicestershire's roads as well as the number of people killed and seriously injured and the number of slight injuries. The number of child, pedestrian, cyclist and motorcyclist casualties will also be monitored over the lifetime of the strategy.

3.7 Leicestershire County Council's approach to the delivery of new development is a fundamental element of its third Local Transport Plan (LTP3) long-term strategy 2011 to 2026. This is particularly in respect of the significant challenges presented by supporting economic and population growth whilst at the same time addressing the need to reduce the environmental impacts of transport and to ensure that the area's

transport system can continue to operate as efficiently and safely as is possible.

3.8 It is through its Transport Development Control function that the County Council gives practical effect to its LTP3 long-term strategy in respect of its consideration of new development. Proposals for appropriately located, accessible, well-designed and high quality development can make a positive contribution to achieving LTP3 strategic goals and outcomes. Conversely, inappropriately located and poorly designed development proposals may have negative impacts.

The 6Cs Design Guide

3.9 LTP3 does not set-out specific standards by which the transportation implications of new development (e.g. in terms of the suitability for the movement of people and goods and highway safety) will be assessed. This is the role of a daughter document, The 6Cs Design Guide (the Design Guide), formally referred to as "Highways, transportation and development", which has been published by the County Council was adopted in December 2007 and revised in October 2008 (see link). Subsequently, this document has been adopted by several other highway authorities in the East Midlands.

http://www.leics.gov.uk/htd

3.10 The Design Guide was drawn up by a working party comprising officers from Leicestershire County Council and representatives from the district planning authorities. The working party consulted widely with a range of public and private bodies, almost 3000 Leicestershire households, all other Leicestershire local authorities and the emergency services before presenting its proposals for approval.

3.11 The project team consulted with Government Office East Midlands (GOEM) regarding the content and status of "Highways, transportation and development". GOEM advice was that in view of changes in the

planning legislation it would be appropriate to adopt the document as County Council Policy.

3.12 The Design Guide was adopted as a policy document by Leicestershire County Council on 22/9/04. The document replaced the previous publication "Highway Requirements for Development". Since 22/9/04, it has been regularly reviewed to ensure that it remains relevant and up to date.

3.13 The Design Guide reflects government policy and guidance, particularly PPS3, PPG13, and the most recent version, adopted by full Council in December 2007 and updated in April 2009, has been prepared to take account of the Manual for Streets and the new Guidance on Transport Assessments. The guidance it contains reflects the evidence based work carried out to support Manual for Streets and Manual for Streets II. It is also supported by other local policies and strategies, including the Local Transport Plan and the County Council's walking and cycling strategies. The authorities who have adopted the document are to continue to develop Htd to ensure that it reflects national, regional and local policies.

3.14 The Leicestershire County Council’s Highways Development Control policy is stated clearly in Section IN4 paragraphs 1.24 to 1.26 (appendix 5). It is reasonable to conclude from the policy statements that development should only be considered acceptable where access roads are suitable for the type of development and it must be safe for all road users, promote road safety and reduce personal safety risks whether real or imagined.

3.15 Department of Transport Advice Note TA 57/87, Roadside Features and more recently Highways Agency Advice Note TD 41/95, Vehicular Accesses To All Purpose Trunk Roads, cite the results of studies into accidents. TA 57/87, paragraph 9.3.1 states that:

"In 1985 60% of all personal injury accidents on roads occurred at junctions of which 10736 (or 4.4%) were described as private drives or entrances".

3.16 TD 41/95 Annex 1, paragraphs A1.13 and A1.14 state:

"There was a reduction in personal injury accidents in Great Britain between 1980 and 1992, the latest year for which figures are available. As indicated in paragraph 1.8, accidents associated with junctions and accesses have not fallen as fast as others. Although accidents at junctions and direct accesses have only fallen by 2% there has been a significant reduction in the severity with fatal and serious accidents falling by 36% in urban areas and by 11% and 32% respectively in rural areas. Slight accidents on the other hand increased by 4% in urban areas and soared by 49% in rural areas to just over 18000. Considering just those accidents reported as occurring at private drives or entrances (the least used of accesses), these have risen by 15% between 1980 and 1992. On rural roads, fatal accidents have increased by 28%, but serious accidents (considerably more), have fallen by 32%. Slight accidents have increased by 42% to 2319. Overall, on rural roads, personal injury accidents have increased by 16%.

3.17 TD 41/95 continues in paragraph 1.17 with respect to private drives and entrances and states:

"It has to be recognised that conflicting traffic movements in and out of them are quite low and accidents are therefore sparsely distributed among numbers of lightly trafficked accesses, nonetheless they do constitute a very real risk"

3.18 In 2000, the report "Tomorrows Roads- Safer for Everyone" was published by the Department of the Environment, Transport and the Regions which set out the Government's road safety strategy and casualty reduction targets for 2010. This included 3 targets: "a 40% reduction in the number of people killed or seriously injured in road

accidents; a 50% reduction in the number of children killed or seriously injured; and a 10% reduction in the slight casualty rate”. The DfT is currently consulting on a new road safety strategy to cover the period 2010 to 2020. 'A Safer Way: Making Britain's Roads the Safest in the World' looks to continue the progress made in the last 10 years and rise to particular challenges such as reducing the number of road deaths, improving safety on rural roads and encouraging more walking and cycling by reducing the risk to individual walkers and cyclists on the transport network. The proposed strategy increasingly recognises the key role that improving road safety will play in supporting wider Government objectives such as supporting the economy, protecting the environment and improving public health.

4. Relevant History and Application Details

4.1 The application which is the subject of this appeal was submitted to Hinckley & Bosworth Borough Council in March 2011. The Highway Authority was formally consulted on the 31st March 2011 and provided the following response to the Planning Authority on the 11th April 2011:

Notes to Planning Officer

Recent observations have shown that the section of Shenton Lane across the site frontage is almost permanently occupied by parked vehicles. Whilst Manual for Streets advocates a more relaxed approach to "occasional" parking within visibility splays this has to be assessed on a case by case basis. In this instance, given constrained nature of Shenton Lane in terms of its width and the constant nature of the on-street parking, it is considered that the creation of the access in the position shown would not only displace valuable on-street parking from the site frontage but also clearly obstruct visibility to a dangerous level for vehicles egressing the application site. It is clear from the accompanying correspondence that a TRO to remove the on-street parking is unlikely to be supported by the various stakeholders and for these reasons, the proposals cannot be supported from a highway point of view.

Reason for Refusal

The applicant has failed to demonstrate that an appropriate and safe vehicular access would be provided to the proposed development and the proposal, if permitted would consequently result in an unacceptable form of development and could lead to dangers for road users.

4.2 The application was considered by Hinckley and Bosworth Borough Council's Planning Committee on the 24th May 2011 and was refused for the following reason:

The applicant has failed to demonstrate that an appropriate and safe vehicular access would be provided to the proposed development and

the proposal, if permitted would consequently result in an unacceptable form of development and could result in dangers to road users. Accordingly the proposed development is considered contrary to policy T5 of the adopted Hinckley and Bosworth Local Plan 2001.

4.3 The appeal application was submitted on the back of three previous applications dating back to 2005, all of which were recommended for refusal on highway safety grounds

4.4 This statement seeks to provide additional evidence in support of the Highway Authority's concerns.

5. Highway Constraints on the Development

5.1 The crux of the Highway Authority's case is that the proposal would undermine road safety objectives by introducing a new access to Shenton Lane at a point where visibility would be extremely poor.

5.2 Many of the points raised by the appellant's Highway Consultant are acknowledged including:

- The site is well located to encourage walking, cycling and public transport use
- There are existing accesses along Shenton Lane some without the benefit of internal turning provision. The Highway Authority would however point out that these are historical accesses which pre-date the planning system
- There are no recorded accidents along Shenton Lane in the last 5 years
- The creation of an access could potentially create a passing place
- A Traffic Regulation Order prohibiting parking along Shenton Lane would be contentious and is unlikely to be viable
- Vehicle speeds are relatively low along Shenton Lane

5.3 Likewise the appellant's Highway Consultant appears to agree with many of the points raised by the Highway Authority namely:

- Parking across the site frontage is almost permanent
- Paragraph 7.8.5 of Manual for Streets is key to the appeal proposal
- Visibility from the access would fall along way short of the standards set out in Manual for Streets

5.4 The areas of disagreement are simply limited to the whether the proposed access would be safe and how to interpret the advice in paragraph 7.8.5 of Manual for Streets. In reaching its conclusion, the

Highway Authority has come to a considered view based on local circumstances and its own knowledge of the area.

5.5 Shenton Lane is a moderately trafficked Class III highway. Vehicle speeds past the site frontage are estimated to be in the region of 20-25mph. Prevailing guidance on visibility splays set out in Manual for Streets stipulates a Stopping Sight Distance of 30 metres in such situations. Putting aside the issue of parking in visibility splays, the level of visibility which would be available to drivers egressing the appeal site would fall along way short of the accepted standards.

5.6 The Highway Authority does accept that there would be some occasions when the on-street parking situation would be less severe and therefore a greater level of visibility may be available. However, it is probably reasonable to assert that for most trips the level of visibility on offer would be such that drivers would have a very restricted view of approaching traffic.

5.7 To demonstrate the Council's concerns, photographs taken from the driveway of no.3 Shenton Lane are attached as Appendix 2. Visibility splays from the appeal site access would be similar to those shown on photographs 3 and 4 which were measured at less than 10 metres in each direction.

5.8 Notwithstanding the above, the Highway Authority does acknowledge the guidance contained in paragraphs 7.8.5 and this was referred to in the formal consultation response (see paragraph 4.1 above). There is little more than can be added at this stage other than to stress that the Highway Authority considered this advice when assessing the application and for the reasons outlined in 'Notes to Planning Officer' it does not believe this guidance should be applied rigidly in this instance.

5.9 The guidance contained in Manual for Streets is simply that and is not intended to be taken too literally. The document as a whole, states that decisions regarding highway safety should be made at a local level by

those who are conversant with the area using their own professional judgement. Moreover, Manual for Streets was never intended to give *carte blanche* to all developers at the expense of road safety. In this case, the Highway Authority carefully considered the nature of the parking along Shenton Lane together with its restricted geometry and the site layout and came to the conclusion that visibility would be so substandard that there is a strong likelihood that collisions would occur.

5.10 Two recent appeal decisions which considered the issue of parking in visibility splays are attached as Appendix 5. In the first case (Anstey Road, Cropston), the Highway Authority argued strongly that visibility in the critical direction was restricted by parked vehicles on an almost permanent basis. Although the Inspector refers to Manual for Streets in the decision notice, it is disappointing that she did not give a clear view on whether parking in visibility splays is acceptable or not. However, she does not say that parking in visibility is acceptable as per the advice in Manual for Streets and instead opines that visibility was not acceptable and dismissed the appeal on highway safety grounds. The second decision (Brook Street, Shepshed) is perhaps more useful as the Inspector makes the following comments:

'Further, roadside parking takes place on the public highway (by both residents and club users) especially to the north of the access. While this parking may not be an actual obstruction of the access, it reduces the visibility available for drivers exiting the site and is a hazard to highway safety'.

On the basis of the above, it is clear that previous Inspectors have not simply taken the view that parking in visibility splays is of no consequence. On the contrary, it is clear that in certain circumstances such parking can still give rise to legitimate road safety concerns.

5.11 The County Council's parking standards are set out in paragraph 3.172 of its 6Cs Design Guide (see Appendix 6 for extract). This stipulates a standard of 3 spaces for dwellings with four bedrooms or more. This

mirrors Hinckley and Bosworth District Council's own guidance contained in their Local Plan Policy T5 (See appendix 7 for extract) which also states 3 parking spaces. Furthermore, guidance contained in Manual for Streets and the County Council's own Design Guide stipulate that a double garage should be is 6 metres x 6 metres (see Appendix 6).

5.12 The proposal as shown on drawings 03A & 05A is therefore substandard when assessed against these standards. The garage shown on the submitted plans measures 5 metres (width) x 5.3 metres (length) and therefore cannot be counted towards the parking requirement. Whilst there is sufficient space on the driveway to accommodate two parked vehicles this would be at the expense of internal turning and therefore it is likely that future residents will have to reverse out onto Shenton Lane. On the basis of the above the Highway Authority considers that the appeal proposal fails to provide the requisite amount of off-street parking and moreover the layout is likely to lead to dangerous reversing manoeuvres to/from the public highway at a point where visibility would be severely restricted.

5.13 In his statement, the appellant paints a somewhat optimistic picture of the parking situation in and around Market Bosworth when stating; '*observations show that in general there is ample parking in and around the town centre'*. No evidence is submitted to support this statement which is at odds with the position of the Local Planning and Highway Authority's, the Parish Council and local residents to whom the lack of parking in the town has been a long running problem. Indeed, Hinckley and Bosworth Borough Council's Local Plan states the following:

'Market Bosworth acts as a focal point for the rural, western part of the Borough. At times, particularly market day, parking in the centre of Market Bosworth is problematic'

5.14 Work carried out in relation the proposed extension to the town's Parish Hall has shown that the Pay & Display car park situated on Rectory Lane

is already operating at or near capacity on most days and that there is severe pressure for parking, free or otherwise, on most of the residential streets that surround the town centre. See Appendix 4 for parking survey.

6. Conclusions

6.1 This statement has demonstrated that the appeal proposal fails to satisfy Local Plan Policy T5 as well as the guidance contained in the 6Cs Design Guide. The proposal fails to provide an adequate level of on-site parking and turning and would lead to the creation of a new access that would lack an appropriate level of visibility all of which would be to the detriment of the safe and free flow of traffic on Shenton Lane.

6.2 For the reasons stated above, the Secretary of State is respectfully requested to dismiss this appeal. Should the Inspector be of a mind to allow the appeal, it is suggested that it should include the following conditions.

Dominic Young BSc (Hons), MA, MRTPI, MIHE
Assistant Engineer

Suggested Conditions

1. No development shall take place until a revised plan detailing arrangements for access, layout and parking have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the plan so approved.

Reason: In the interests of highway safety

2. For the period of the construction of the development, vehicle parking facilities shall be provided within the site and all vehicles associated with the development shall be parked within the site.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of development of the site leading to on-street parking problems in the area during construction.

3. The garage, once provided, shall thereafter permanently remain available for car parking.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.

Appendix 1 – Location Plan



Appendix 2 – Appeal Site Photographs



Photograph 1 – Looking north-east along Shenton Lane towards the appeal site



Photograph 2 – Looking south-west along Shenton Lane towards the appeal site (gable wall of no.15 in the distance)



Photograph 3 – Showing visibility to the right from the driveway of no.3 Shenton Lane



Photograph 4 – Showing visibility to the left from the driveway of no.3 Shenton Lane



Photograph 5 – adjacent to the driveway of no.3 looking towards appeal site

Appendix 3 – Traffic Accidents

Accident 1

Acc Ref: 201007313 SLIGHT Veh: 2 Cas: 1 OS Ref: 44065 30301
Date: **13/12/2010** Day: Monday Time: 10:10 Month: December
Parish: Market Bosworth
Police Div: S
Agency:
Road Nos: C6118 C6118 Speed Limit: 30mph
C/way type: Single carriageway
C/Way Hazard: None

Junction: T or staggered junction
Jun Control: Give way or uncontrolled
Ped Crossing: None within 50 metres
No physical crossing facility within 50 metres
Light: Daylight: street lights present
Weather: Fine without high winds
Surface Cond: Wet / Damp
Special Cond: None

C6118 MARKET PLACE MARKET BOSWORTH JW RECTORY ROAD V1 TRAV W RECTORY RD TURNS R TRAV N/W & COLLS V2 (CYCLE) TRAV S NEG R BEND MARKET PLACE.

Appendix 4 – Market Bosworth Car Parking Survey

Survey, for seven days, of parking in the Pay & Display public car park and Park Street, Market Bosworth

Capacity public car park 28, of Park Street approx 39/40

Day	Public car park	Park Street	
23rd		Legal	Illegal
8.00	0	8	
9.00	3	13	
10.00	8	12	
11.00	9	17	
12.00	16	23	
13.00	17	21	
14.00	24	29	
15.00	27	29	4
16.00	22	27	1
17.00	12	23	2
18.00	7	19	1
19.00	2	18	1
20.00	19	19	1
24th			
8.00	0	13	
9.00	7	18	
10.00	28	27	
11.00	26	31	
12.00	25	30	
13.00	27	29	
14.00	21	27	
15.00	19	25	
16.00	18	22	
17.00	11	21	
18.00	4	16	
19.00	4	18	
20.00	1	19	
25th			
8.00	0	10	1
9.00	0	14	
10.00	2	18	
11.00	6	19	1
12.00	7	16	
13.00	12	22	
14.00	10	21	

Day	Public car park	Park Street	
		Legal	Illegal
15.00	11	22	
16.00	6	18	2
17.00	2	19	1
18.00	4	18	
19.00	7	19	
20.00	6	18	
26th			
8.00	1	14	
9.00	4	21	2
10.00	13	25	
11.00	17	28	
12.00	13	18	
13.00	15	23	
14.00	14	27	
15.00	21	26	
16.00	18	28	
17.00	14	23	
18.00	5	21	
19.00	2	21	1
20.00	2	29	
27th			
8.00	0	14	
9.00	4	25	
10.00	11	25	
11.00	29	28	
12.00	27	26	
13.00	26	23	
14.00	30	27	
15.00	23	26	
16.00	10	28	
17.00	5	23	
18.00	2	11	3
19.00	2	21	1
20.00	6	26	

Survey, for seven days, of parking in the Pay & Display public car park and Park Street, Market Bosworth

Capacity public car park 28, of Park Street approx 39/40

Day	Public car park	Park Street Legal & Illegal	
28th			
8.00	2	11	1
9.00	4	17	1
10.00	7	18	1
11.00	19	19	1
12.00	19	20	1
13.00	18	16	1
14.00	19	20	
15.00	10	23	
16.00	6	18	
17.00	7	17	
18.00	5	16	1
19.00	6	23	1
20.00	9	24	1
29th			
8.00	0	13	
9.00	2	17	
10.00	9	23	
11.00	20	29	
12.00	17	31	
13.00	23	29	2
14.00	26	26	1
15.00	23	30	1
16.00	10	24	1
17.00	7	20	2
18.00	3	23	
19.00	4	16	1
20.00	7	17	2

Appendix 5 – Relevant Appeal Decisions

The Planning Inspectorate

Appeal Decision

Site visit made on 17 January 2011

by Elizabeth Hill BSc(Hons), BPhil, MRTPI

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

Decision date: 8 February 2011

Appeal Ref: APP/X2410/A/10/2139117
94 Cropston Road, Anstey, Leicester, LE7 7BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mrs Elaine Miller against the decision of Charnwood Borough Council.
- The application Ref P/10/0964/2, dated 6 May 2010, was refused by notice dated 7 July 2010.
- The development proposed is residential.

Decision

1. The appeal is dismissed.

Preliminary matters

2. The application is in outline form with only the access to be determined at this stage. The grounds of appeal and the design and access statement state that the development would be a detached dwelling.

Main Issues

3. The main issues in this case are the effect of the proposed development on:

A) highway safety; and,

B) the character and appearance of the area.

Reasons

Highway safety

4. The site is a vacant piece of land between 94 Cropston Road and a single track lane known as The Slant. The access to two parking spaces would be from this lane which emerges on a bend in Cropston Road. The Manual for Streets (MfS) indicates that, in areas with a 30mph speed limit, the visibility in each direction needs to be 43m from a point 2.4m back from the edge of the carriageway. In this case, the Highway Authority has measured speeds on Cropston Road and for these speeds, which are slightly higher than the limit, visibility splays of 48m to the right and 47m to the left would be required, according to the calculations required by Manual for Streets 2 (MfS2).

5. Looking to the right, the appellant says the distance would be 28m, and, looking to the left, 41m. However, the distance quoted by the appellant looking to the left is significantly reduced by a bush in a garden outside the appellant's control which significantly reduces this distance, although there are double yellow lines which help to prevent parking from obstructing views. Looking to the right parking can take place outside housing further down the road. Cars parked in this location during the time of the site visit also

obstructed the view in this direction to some extent. Whether the distance taken is that in a 30mph limit or that calculated by the Highway Authority, the minimum distance would not be met. Whilst MfS2 says that parking within visibility splays rarely causes significant problems in practice, the visibility looking to the left is severely limited by vegetation. In addition, the accident rates on this part of Cropston Road are a cause for concern, showing 6 accidents in the last five or so years. Therefore, at least the 43m required in a 30mph area needs to be met in this location.

6. The appellant proposes to hard surface the entrance to the access, increase the radii and widen it, which she claims is a benefit of the scheme. This might overcome one of the reasons for the dismissal of the appeal Ref APP/X2410/A/08/2069067 for a dwelling to the rear of 92-94 Cropston Road using the same access. However, it would not overcome the problems of visibility which were also noted in this appeal as adding to that Inspector's concerns about the safety of the access.

7. The proposed development would be harmful to highway safety, contrary to saved Policy TR/6 of the adopted Borough of Charnwood Local Plan (2004) (LP), which seeks to prevent development that would result in the unsafe or unsatisfactory operation of the highway system.

Character and appearance

8. The Slant marks a break between older terraced housing nearer to the centre of the settlement with lower density detached and semi-detached housing further out. Although the rear garden to the proposed dwelling would be small, there are other dwellings with small rear gardens in the area.

9. Some properties on this part of Cropston Road have parking to their front, although there is generally space around the parking area and room for planting, softening the appearance of the development. In this case there would be little space apart from the car parking spaces in the front garden, giving a harsh and cramped appearance in views along the road. The application is in outline in terms of layout, scale, appearance and landscaping but the size of the site is such that it would be difficult to position the parking elsewhere without adversely affecting the amount of private amenity space at the side and/or rear of the dwelling.

10. The proposed development would be harmful to the character and appearance of the area, contrary to Policy ENV/1 of the LP, criterion iv) of which requires positive and attractive frontages to development.

Conclusions

11. For the reasons given above and having regard to all other matters raised, the conclusion is that the appeal should fail.

E A Hill

INSPECTOR

Appeal Decisions

Hearing held on 8 June 2010

Site visit made on 8 June 2010

by David Murray BA (Hons) DMS MRTPI

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

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Decision date: 25 June 2010

Appeal A - Ref: APP/X2410/C/10/2120269
Land at Unit 3, 84a Brook Street, Shepshed, Loughborough, LE12 9RG.

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mrs Joanne Norman (on behalf of Shepshed Amateur Boxing Club) against an enforcement notice issued by Charnwood Borough Council.
- The Council's reference is E/09/0260.
- The notice was issued on 11 December 2009.
- The breach of planning control as alleged in the notice is "Without planning permission, the change of use of the land from use as a storage unit (Class B8) to use for a boxing gymnasium (Class D2).
- The requirements of the notice are "Cease the use of the land for the purposes of use as a boxing gymnasium.
- The period for compliance with the requirements is one month.
- The appeal is proceeding on the grounds set out in section 174(2) (a), (f) and (g) of the Town and Country Planning Act 1990 as amended. The application for planning permission deemed to have been made under section 177(5) of the Act as amended must also be considered.

Summary of Decision: The appeal is allowed, the notice quashed and planning permission is granted subject to conditions.

Appeal B - Ref: APP/X2410/A/09/2117703
Land at Unit 3, 84a Brook Street, Shepshed, Loughborough, LE12 9RG.

- 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 Mrs Joanne Norman (on behalf of Shepshed Amateur Boxing Club)] against the decision of Charnwood Borough Council.
- The application Ref. P/09/1534/2, dated 5 August 2009, was refused by notice dated 6 November 2009.
- The development proposed is the retention of use as a Boxing Club (Class D2)

Summary of Decision: the appeal is allowed and planning permission is granted subject to conditions.

Appeal A - the appeal on ground (a), the deemed planning application and Appeal B

Main issues

1. The main issues are:

   - the effect of the retention of the boxing club use on the living conditions of the occupiers of adjacent and nearby residential property;

   - the effect on highway safety;

- the benefits of the proposal to the local community;
- finally, if harmful, whether the use can be made acceptable by the imposition of conditions on any permission.

Background

2. The site lies in an area of mostly residential development but where the appeal site is part of a small complex of business units with off-road parking for about 8 vehicles. The site of the boxing club is a building of commercial appearance constructed from concrete blocks around a metal frame. The building is of two storey height but has only a single space internally and is fitted out with a boxing ring and assorted gym equipment including punch-bags.

Effect on neighbours

3. The issue of the effect on the living conditions of neighbours centres on the noise arising from the use and that being heard by the occupiers of nearby properties, both inside the properties and externally in the gardens. The noise is recognised to come from equipment, such as the time keeping klaxon for boxing bouts, and the noise from boxers punching and grunts from being hit. The neighbour closest to the site (at no. 86 Brook Street) said that the noise nuisance suffered when the club is in operation comes from the regular peaks of noise, such as from the claxon, and an aggressive form of noise from the boxing itself. This noise level penetrates into her daughter's bedroom at the corner of the property adjacent to the boxing club, and caused her daughter distress, particularly at bedtime. This concern is supported by medical representation. The level and type of noise also disturbed the family use of the garden in the evenings, especially in the summer months when gardens are used more for sitting out.

4. When the Council first received complaints about the boxing club starting up, the Environmental Health Officer took noise readings in and around the club premises and in the neighbour's house when the club was in use, and assessed these in comparison with normal background noise levels. These readings show that the noise levels exceeded the recommended standards set out by the World Health Organisation and those contained in Planning Policy Guidance 24 – Planning and Noise (PPG24). It is therefore clear to me that at the time the notice was issued the boxing club use caused moderate noise disturbance which harmed the living conditions of neighbours.

5. Since that time the boxing club has attempted to ameliorate the noise problem by filling in holes in the structure of the fabric of the building to prevent noise escape, and adjusting the equipment, particularly the klaxon which regulates bouts. Therefore, when I undertook my site visit and visited the nearest neighbouring property I found it difficult to hear the noise of the timed klaxon in the club when inside the child's bedroom (with the double glazed window both open and closed), but the noise was audible in the garden. Nevertheless, I do not intend to place much weight on my audio findings on site as only the klaxon was in operation rather than actual bouts or practice boxing on punch bags.

6. Overall on this issue, at the time that the notice was issued, and on the basis of the formal noise assessment carried out, I consider that the use of the

actual premises as a boxing club caused a material level of disturbance which harmed neighbours' living conditions. The development therefore did not meet the requirements of Policy EV/39 of the Borough of Chamwood Local Plan which seeks to protect residents from potential noise problems.

Highway safety

7. The boxing club tends to operate in the evening and weekends when the other business units are not occupied. However, evidence collected by the Council and the highway authority show that users of the club, and probably parents/guardians dropping off or collecting children, cause congestion by giving rise to more vehicles coming into the site than can reasonably park there. Further, it is apparent in the evidence that a critical time in any evening is when users arrive for a later session of the club and the users in the earlier session have not left, resulting in an overlap of parking needs. This lack of parking results in vehicles having to reverse back out onto the highway carriageway. Further, roadside parking takes place on the public highway (by both residents and club users) especially to the north of the access. While this parking may not be an actual obstruction of the access, it reduces the visibility available for drivers exiting the site and is a hazard to highway safety. It is also compounded by drivers doing the manoeuvre in reverse gear. In the absence of any proven means of regulating the means of getting to the site, I conclude that the particular arrangements of this site do not provide sufficient space for parking for the use and is not in the interests of highway safety.

Local benefits

8. At the hearing, the representatives of the club stressed the benefits to the local community in providing a facility which gave users, and especially children and teenagers, exercise, sport and an increased feeling of responsibility. This is reflected in the letters and petitions submitted in support of the facility. The Council also accept that, notwithstanding the issues surrounding noise and parking, the club is likely to have positive impacts on the local community and may help reduce crime and anti-social behaviour, and improve social cohesion.

Whether capable of being made acceptable

9. Although I have found that the location and use of the present building and site for the boxing club is harmful because of the noise generated and the lack of off-road parking, I have to consider whether this harm can reasonably be overcome.

10. Since the issue of the notice, representatives of the club have been considering ways in which this harm may be overcome. Quotations have been obtained for works to be carried out to insulating the walls and roof of the building and install an artificial ceiling to reduce the emission of noise. I was advised by the club representatives that it was likely that the club will have raised the necessary finance for this work within two months following a positive decision on the appeal. Further, in terms of car parking, while the number of parking spaces cannot be increased on site, the club had drawn up a green travel plan and now suggest that members and users walk or cycle to the site, and if transport by car is necessary, park or drop off away from the site itself.

11. In relation to the noise issue, the Environmental Health Officer advised at the hearing that the insulation work proposed would be likely to reduce the noise emitting from the premises to a reasonable level. While it would not suppress noise to a level which would not be audible externally in the adjacent residential properties and especially no. 86, it would be to a be a level which would be likely to accord with satisfactory daytime noise levels as set out in PPG24. Given this expect assessment, I am satisfied on the balance of probability that there is a clear likelihood that the noise issue can be resolved. Although the appellants expect to raise the finance and complete the works within two months, I consider that three months would be a more realistic and reasonable period, given the noise reduction improvements that have been made to the building in the meantime. Further, this reduction in noise can also be managed by the imposition of conditions to regulate the time of operation of the club and keeping external doors closed.

12. In relation to the parking issue, I note the contents of the Club's Green Travel Plan which may help reduce congestion and hazardous traffic movements in the vicinity of the entrance to the site. While the retention of a Travel Plan can be required by condition, the detailed suggestions within the Plan are not capable of being enforced by a planning condition. Nevertheless, it appears to me from the evidence submitted that the majority of users live within Shepshed and are therefore within a reasonable walking or cycling distance of the site. The retention of the boxing club use on this site would therefore be in accordance with the general sustainable transport objectives set out in Planning Policy Statement 13 – Transport (PPG13). Given these circumstances and the relatively low level of use involved, I am satisfied that there is not a clear reason to withhold planning permission on this ground alone.

Conclusion

13. Overall on this ground, I conclude that the boxing club use is capable of being made acceptable on this site and so continue the local benefits that derive from it. This can be achieved by the management of users of the club and the way in which they arrive at the premises, and by requiring specific measures to be undertaken to add noise insulation to the fabric of the building within a specified period. On this basis, with these factors in place, the development would not be harmful and would reasonably meet the provisions of saved Policies EV/39, TR/6 and TR/18 of the Borough of Charnwood Local Plan 2004. I have also considered the revised detailed condition on the opening times of the club as drafted by the Council for the site visit. While the basic requirements of the condition are necessary for this case, the proposed seasonal variation is unnecessarily complex and lacks justification. I will therefore revise it to better meet the general guidance in Circular 11/95.

14. For the reasons given above I conclude that the appeal should succeed on ground (a) and planning permission will be granted, subject to the conditions that I have set out above, and I will quash the notice. The appeal on grounds (f) and (g) does not therefore need to be considered.

Formal Decisions

Appeal A - Appeal A - Ref: APP/X2410/C/10/2120269

15. I allow the appeal, and direct that the enforcement notice be quashed. I grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act, as amended, for the development already carried out, namely the boxing club use, on land at Unit 3, 84a Brook Street, Shepshed, Loughborough, LE12 9RG as referred to in the notice, subject to the following conditions set out in the attached schedule.

Appeal B - Ref: APP/X2410/A/09/2117703

16. I allow the appeal, and grant planning permission for retention of the use as a boxing club at Unit 3, 84a Brook Street, Shepshed, Loughborough, LE12 9RG in accordance with the terms of the application, Ref P/09/1534/2, dated 5 August 2009, and the plans submitted with it, subject to the following conditions set out in the attached schedule.

David Murray

INSPECTOR

Appendix 6 – Extracts from Leicestershire County Council's 6Cs Design Guide Highway

http://www.leics.gov.uk/index/htd.htm

2	4.4	28.4	20.1	5	4.5	19.1	37.8
3	4.0	29.4	18.5	6	4.2	19.8	36.1
4	3.7	30.4	17.3	7	3.9	20.5	34.4
5	3.4	31.4	16.1	8	3.6	21.2	32.7
6	3.0	32.4	14.5	9	3.4	21.9	31.6
				10	3.2	22.6	30.5
				11	3.1	23.4	29.9
				12	3.0	24.1	29.3

Figure DG16 Size and layout of parking spaces

On-street parking

3.188 Research we have carried out has shown that a main concern of Leicestershire residents is on-street parking. National research, including that by the New Homes Marketing Board and Halifax PLC, also highlights on-street parking as a real problem. Where on-street parking provision is poorly designed, it can:

- impair road safety (between 2002 and 2006 around 12% of accidents that occurred in 'built-up areas' (speed limit up to 40mph) within Leicestershire - excluding the City - involved parked vehicles);
- obstruct access for vehicles, including for service vehicles, the emergency services and buses;
- obstruct footways and be a hazard to cyclists and pedestrians, including those with mobility or visual impairments;
- make a development look cluttered and unattractive;
- be a source of crime; and
- cause friction between occupiers where private accesses are blocked.





Parking in turning head and obstructing access to private drives



'Unsightly' parking obstructing a junction



Parking obstructing a footway - hazard to pedestrians

Access for service vehicle restricted by parking



Parking causing vehicles to cross on to wrong side of the road

Figure DG17 Examples of on-street parking

3.189 So, in the interests of the safety of all road users, including pedestrians and cyclists, and of maintaining efficient flow of traffic, we will look for developments that include well-designed parking layouts (on-street and off-street) that minimise the likelihood of on-street parking problems. For parallel parking to a road, each vehicle will normally need an area of about 2m wide x 6m long. For echelon (wedge shaped) parking and perpendicular (end on to the road) parking, individual bays should normally be indicated or marked. Bays should normally be about 2.4m wide and a minimum 4.8m long and they should be arranged so that drivers are encouraged to reverse into them. Figure DG18a shows some suggested on-street parking arrangements, and also sets- out how to calculate the necessary width needed to access echelon parking.

3.190 Where it appears that on-street parking could cause problems, we will ask you for computerised tracking assessments of appropriate vehicle paths (these are likely to include refuse lorries, pantechnicons, fire tenders and buses if the development is to be served by public transport). Where the assessment demonstrates that it is necessary to provide extra width to accommodate on-street parking, you should normally achieve this either by:

- providing parking bays as illustrated below (bays should not be designated to particular properties); or
- increasing the overall carriageway width. We can accept localised width variations - it is not necessary for a road to have a constant width and parallel kerb lines throughout.

- whether the parking spaces are to be allocated to particular houses or unallocated.

Depending on the scale of your proposed development, we will normally expect you to apply this method.

3.172 **Developments of 1 to 5 houses**: You have the choice of either applying the following standards or using the DCLG paper method referred to in paragraph 3.171. (Please see paragraph 3.174 if you intend to use the DCLG method.)

- One space for each dwelling:
  - where car ownership may be low, such as town centres and other locations where services can easily be reached by walking, cycling or public transport.
- Two spaces for each dwelling:

  - urban locations with poor access to services and poor public transport services;
  - three-bedroom dwellings in suburban or rural areas; and
  - other locations where car ownership is likely to be higher than locations that are better served by public transport.
- Three spaces for each dwelling:
  - four-bedroom dwellings in suburban or rural areas; or
  - other locations where car ownership is likely to be higher than locations that are better served by public transport.

3.173 **Developments over 5 dwellings**: We will normally expect you to apply the DCLG paper method.

3.174 Where you are using the DCLG paper method, we will normally expect you to provide

planning authority may require garages to be located behind houses and may not encourage integral garages.

Table DG16: Garage set-back distances	
Garage door type	Minimum distance from highway boundary
Roller-shutter, sliding or inward opening	5.5m
'Up-and-over'	6.1m
Hinged, outward opening	6.5m

Where an access is to be gated, the gates should be set back 5m where they open inward and 6m where they open outwards. This is to ensure that the public highway (particularly areas used by pedestrians) is not obstructed if a vehicle is parked on the access in front of the gates.

3.224 Garages should preferably have the following minimum internal dimensions.

- Standard single = 6m x 3m, with minimum door width of 2.3m
- Use by disabled = 6m x 3.3m with minimum door width of 2.8m
- Double = 6m x 6m, with minimum door width of 4.2m.

If a dwelling has no separate parking for cycles, it may affect whether we consider that the garage should be counted towards parking provision.

Appendix 7 - Hinckley & Bosworth Borough Council Local Plan Policies

6.9.4

POLICY T3 - NEW DEVELOPMENT AND PUBLIC TRANSPORT

WHERE PLANNING PERMISSION IS GRANTED FOR MAJOR NEW DEVELOPMENT, PROVISION WILL BE MADE FOR BUS ACCESS AND THE APPROPRIATE SUPPORTING INFRASTRUCTURE.

6.10.0 Lorry Routes and Weight Restrictions

6.10.1 Both the County Council and the Borough Council are keen to restrict the movement of heavy goods vehicles along unsuitable routes by means of traffic management or other appropriate measures. There is also a need to provide acceptable alternative routes, particularly to specific locations which generate significant volumes of heavy traffic. The use of some minor roads by heavy traffic or high volumes of through traffic can be inappropriate because of the problems of congestion, noise and intrusion created.

6.10.2 Consequently, wherever possible, the Borough Council will seek to prevent heavy and through traffic using inappropriate minor roads.

6.11.0 Retention of Car Parking Facilities

6.11.1 Both public and private parking facilities are important for service centres and employment uses to function efficiently especially where there are few alternative transport options available. Vehicles parked on highways can cause traffic hazards, particularly to pedestrians.

6.11.2 However, the over-provision of parking facilities can discourage the use of alternative transport options and the Borough Council will consider proposals for the reduction of existing off-street parking facilities where alternative provision for parking or realistic alternative transport options are readily available.

6.11.3

POLICY T4 - RETENTION OF CAR PARKING FACILITIES

PLANNING PERMISSION FOR THE DEVELOPMENT OF EXISTING OFF STREET CAR PARKING SPACES FOR ALTERNATIVE USES WILL BE GRANTED WHERE THERE IS EITHER A DEMONSTRABLE LEVEL OF OVER PROVISION OR ALTERNATIVE PARKING PROVISION IS PROPOSED OR WHERE ALTERNATIVE TRANSPORT OPTIONS ARE READILY AVAILABLE

6.12.0 Highway Design and Vehicle Parking Standards

6.12.1 It is important that in considering new development proposals and changes of use, those appropriate standards of highway design and appropriate car and cycle parking standards as adopted by Leicestershire County Council and the Department of Transport, Local Government and the Regions are applied. The Borough Council will ensure that they promote continued safety and efficiency of the highway throughout the plan area to benefit all users be they public transport, private vehicles, pedestrians or cyclists.

6.12.2 In considering new development proposals it has, in the past, been a requirement that on-site car parking is provided to meet the demand from all those wishing to access the development by car. This was a requirement in order to avoid on-street parking in the vicinity of the development that could give rise to road safety and environmental problems. However, it is now recognised that the provision of unrestrained free parking makes travel by car a more attractive option, increasing car dependency and creating local road congestion.

6.12.3 Government Guidance set out in PPG13 advises that parking standards in Local Plans should be set as a range of maximum and operational minimum amounts of parking for broad classes of development and location. Setting maximum standards for parking provision at new developments, appropriate to the type, scale and location of the development, will allow a more flexible approach to be taken which is consistent with the strategic aim of reducing dependency of the private car.

6.12.4 The Borough Council's parking targets are guidelines, a starting point for negotiation whereby lower levels of parking will be considered provided the Borough Council is satisfied that the parking is adequate and there will be no detrimental effects on road safety or local amenity. This is particularly relevant in areas where there is a realistic choice of transport.

6.12.5 The parking targets set out in Appendix D should be considered as guidelines only but generally the Borough Council will not be seeking parking provision in excess of the targets, unless otherwise stated. The operational requirement for service or delivery vehicles should be considered as the minimum requirement.

6.12.6 Where parking restraint is applied as a demand management measure, the Borough Council will usually seek commuted sums towards the cost of alternatives with the preferred order being pedestrian and cycle facilities, public transport services, park and ride and, as a last resort, increased or improved off-street public car parking.

6.12.7 PPG13 advocates that strategic policies should be included in Regional Planning Guidance and Structure Plans to avoid the destructive potential for competitive provision of parking by neighbouring authorities. Leicestershire County Council is currently undertaking a review of car parking requirements. The Borough Council will give consideration to any changes to the strategic guidance, as it becomes available.

6.12.8

POLICY T5 - HIGHWAY DESIGN AND VEHICLE PARKING STANDARDS

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT AND CHANGES OF USE WHICH INVOLVE NEW ACCESSES, NEW HIGHWAYS AND OTHER WORKS, THE LOCAL PLANNING AUTHORITY WILL APPLY THE HIGHWAY DESIGN STANDARDS SET OUT IN THE CURRENT EDITION OF LEICESTERSHIRE COUNTY COUNCIL'S "HIGHWAY REQUIREMENTS FOR DEVELOPMENT". IN CONSIDERING NEW DEVELOPMENT PROPOSALS THE BOROUGH COUNCIL WILL APPLY THE PARKING TARGETS AS SET OUT IN APPENDIX D UNLESS A DIFFERENT LEVEL OF PROVISION CAN BE JUSTIFIED.

6.13.0 Existing Car Parking Provision within Hinckley Town Centre

6.13.1 Adequate car parking provision in Hinckley Town Centre plays a major role in ensuring the continued economic success of the town, avoiding traffic congestion as vehicles search for scarce places. Lack of adequate parking facilities can encourage cars into adjacent residential areas giving rise to disturbance and environmental problems. The Borough Council will seek to sustain and improve parking facilities, as opportunities arise during the plan period but not at the expense of other means of transport choice.

6.13.2 The total capacity for all car parking in the Town Centre is approximately 4000 spaces. This figure comprises 1460 public spaces (off street), 420 of which are privately owned. Of the total number of public spaces, 125 are not available for public parking during the working week. The only multi-storey car park in the town is the privately owned Britannia Centre, accessed from Stockwell Head. On-street parking contributes 700 spaces of which 190 are the subject of traffic regulation orders. There is a slight reduction of this total on Market days. The number of private off-street parking spaces is 1800.

Light Industry

One car space per 50 sq. m.

Where there is a substantial element of offices this shall be considered separately.

One lorry space per 400 sq. m.

Provision should be made within the site for the possibility of future conversion to offices, with their higher parking requirements. If such a provision cannot be made then restrictions on further changes of use will be required.

Class B2 - General Industry

Industry

One car space per 50 sq. m.

Where there is a substantial element of office this shall be considered separately.

One lorry space per 400 sq. m.

Any loading bays will be considered as parking spaces for the purposes of assessment.

Class B8 Storage and Distribution

Warehouses

One car space per 100 sq. m.

For units larger than 9,300 sq. m. - one space per 150 sq. m.

Special consideration should be given to the applicable standard to developments between 8,500 and 9,300 sq. m.

One lorry space per 400 sq. m.

For smaller units, provision should be made within the site for the possibility of future conversion to offices, with their higher parking requirements.

If such provision cannot be made then restrictions on future changes of use will be required.

Class C1 - Hotels

Hotels

One car space per bedroom.

Additional parking shall be provided in respect of restaurants and public bar areas in accordance with the standards set out in Class A3 (Restaurants).

Class C2 - Residential Institutions

Nursing Homes

One car space per three bedrooms.

One car space for each member of staff on site.

Residential Homes for the Elderly with Communal Facilities

One car space per four bedrooms.

One car space for each member of staff on site.

Class C3 - Dwelling Houses

Dwellings with 4 or more bedrooms

Three spaces.

Dwellings with 3 or less bedrooms

Two spaces.