



Appeal Decision

Site visit made on 24 March 2026

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2026

Appeal Ref: 6002344

5 Bradfield Road, Roby, Knowsley L14 7AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Steve Davies against the decision of Knowsley Metropolitan Borough Council.
- The application Ref is 25/00362/FUL, dated 25 September 2025, was refused by notice dated 23 October 2025.
- The application sought planning permission for the erection of a detached garage/storage building and conversion of a garage to habitable room without complying with a condition attached to planning permission Ref 22/00765/FUL, dated 11 October 2023.
- The condition in dispute is No 5 which states that: *"No part of the accommodation/development consented hereby shall be occupied until the parking provision shown on areas indicated on Drawing 373-104C has been provided to the satisfaction of the Local Planning Authority. The parking provision shall be hard surfaced and shall not drain onto the highway"*.
- The reason given for the condition is: *"In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016."*

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form states that development has been completed. Therefore, this appeal is being considered under Section 73a of the Town and Country Planning Act 1990 (as amended).

Background and Main Issue

3. Planning permission was granted for the erection of a detached garage/storage building and conversion of a garage to habitable room. The planning permission was subject to a number of conditions, including the Condition No 5 which is disputed by the appellant. The disputed condition sought to ensure that an additional parking space was provided in lieu of the garage.
4. The Council considers this condition is necessary to ensure there is no adverse harm to highway safety, including pedestrian safety. However, the appellant considers that the condition is unnecessary as they do not require parking for three vehicles.
5. Therefore, the main issue of this appeal is whether Condition No.5 is reasonable, and necessary, having regard highway safety, with particular regard to parking provision.

Reasons

6. The appeal site relates to a detached, four bedroom, two-storey dwelling, located at the end of a cul-de-sac. The existing property has a tarmacked driveway providing off-street parking for two vehicles. The primary elevation of the appeal property faces onto one of the two turning heads within the cul-de-sac.
7. The Council granted planning permission for conversion of the attached garage to provide habitable accommodation alongside a proposal for a detached garage/storage building and in doing so imposed a condition which required the creation of a third off-street parking space within the front garden, to offset the loss of the garage. The hardstanding to the front of the appeal property currently measures 7.1 metres wide by 5.1 metres long and would need to be extended to provide an additional parking space.
8. The Householder Development Supplementary Planning Document (the Householder SPD), adopted in June 2016, advises that dwellings with four or more bedrooms should provide three off-street parking spaces. It also states that a garage can normally count towards parking provision, provided that its internal dimensions are sufficient for it to be satisfactorily used for parking. The minimum internal dimensions specified are 5.5 metres by 2.75 metres.
9. The former garage at the appeal property had a maximum internal length of 5.66 metres, reducing to 5.25 metres at its shortest point due to a stepped section of wall. However, its internal width is 4.87 metres, which is substantially greater than the minimum required 2.75 metres. On this basis, I consider the garage to be of adequate size for parking a vehicle. Accordingly, the original proposal resulted in the loss of an available parking space, regardless of whether the garage was in practice used for that purpose.
10. The Householder SPD expects existing levels of parking provision to be retained. It states that where an extension generates the need for additional or replacement parking, the number of spaces should accord with the Council's parking standards and any shortfall against these standards will only be acceptable where local highway and environmental conditions make this appropriate. It further emphasises that proposals which would worsen on-street parking conditions to the detriment of highway safety or residential amenity will not be supported.
11. The appellant states that there is ample on-street parking at the head of the cul-de-sac outside the property. However, the Local Highway Authority objects to the removal of the disputed condition on the basis that vehicles parked within the turning head impede manoeuvrability, particularly for larger vehicles. Evidence provided demonstrates that a fire appliance (approximately 8.7 metres long and 2.2 metres wide) would require six reverse manoeuvres to exit the hammerhead when vehicles are parked within it. Additionally, a waste collection vehicle (approximately 11.2 metres long and 2.5 metres wide) is unable to exit the hammerhead without encroaching onto the pedestrian footway and undertaking multiple reverse movements when cars are present.
12. Based on this evidence, I consider it essential that the turning head remains unobstructed. Replacement parking within the appeal site is therefore necessary to prevent highway safety issues associated with the manoeuvring of larger vehicles. Although the appeal property is the only dwelling accessed from one side of the turning head, other residential properties are accessed from the opposite side.

Parking within the turning area has the potential to obstruct access to these properties as well.

13. Photographs and written representations from local residents indicate that on-street parking frequently occurs both within the highway and in front of the appeal property. While the appellant states that they own only two vehicles, the representations provide clear evidence of localised parking pressure, which would be intensified by the loss of a parking space within the property's curtilage.
14. I am also mindful of the condition imposed on the original housing development approval, which removed certain permitted development rights to ensure that adequate off-street parking provision was maintained where necessary. Given that the appeal site has sufficient space to provide the required replacement parking, I find no compelling justification for removing this condition.
15. Therefore, whilst the appellant argues that the condition is unfair and that the garage has never been used for parking, no substantive evidence has been provided to demonstrate that the original condition was unnecessary or unreasonable. Furthermore, the Council's parking standards are based on the number of bedrooms within a property, rather than the current level of occupancy, which may change over time.
16. For these reasons, I find that the removal of the condition would be likely to lead to parking for the property being displaced into the local highway, to the detriment of highway safety. Therefore, the disputed condition is reasonable and necessary.
17. Consequently, without the disputed condition, the development is contrary to Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, together these policies seek to ensure development does not have an unacceptable impact on highway safety, retains adequate parking provision and avoids harm to the amenity of local residents by reason of on-street parking. There would also be conflict with the guidance contained within the Householder Development SPD and the Ensuring a Choice of Travel SPD (2010).

Conclusion

18. For the reasons given above, the appeal is dismissed.

K Lancaster

INSPECTOR