
Appeal Decision

Site visit made on 12 July 2016

by Nicola Davies BA DipTP MRTPI

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

Decision date: 9 August 2016

Appeal Ref: APP/A2280/D/16/3149139

10 Central Park Gardens, Chatham, Medway ME4 6UT

- 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 Daniel McLean against the decision of Medway Council.
 - The application Ref MC/15/4181, dated 7 December 2015, was refused by notice dated 2 February 2016.
 - The development proposed is to excavate front garden to create an off road parking bay with a dropped kerb and crossover.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed parking arrangement on highway safety in Central Park Gardens.

Reasons

3. I observed on site that to this part of Central Park Gardens the highway is narrow with footpaths either side. Cars were parked partly on the footpaths to enable single-file vehicular access to be maintained along the highway. Whilst there is no parking restriction in place it appeared to me that there is a high demand for on-street parking in the area. I also observed that the frontages to properties to this part of Central Park Gardens are smaller than those further along this street.
 4. Whilst a hardstanding of a size that could accommodate a parking space that would meet the Council's Parking Standards may be achievable in the area available to the front of the property, the issue to my mind clearly relates to the ability of a driver to manoeuvre safely into and out of the space and that when parked it would not overhang the public footpath.
 5. The hardstanding would create a space parallel to the highway. Parking is at a premium in the area, therefore cars are likely to be regularly parked on the highway either side of the appeal site. This on-street parking would reduce a driver's visibility of both pedestrians and vehicular traffic travelling along the highway when manoeuvring into and out of this space. Furthermore, this on-street parking, along with the narrow width of the highway, would, in my opinion, make it very difficult to manoeuvre a vehicle in to this parallel off-street parking space. As a result it is unlikely that a vehicle would be able to
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park parallel to the highway within the frontage of the property with any degree of consistency.

6. The Council is concerned that the inability to achieve a workable parallel parking space in the frontage of the property could lead to a vehicle being parked in a way that would compromise the safety and amenity of pedestrians. The depth of the frontage would not be sufficient to accommodate the parking of a conventional car at a right angle or at an oblique angle to the highway without overhanging on to the public footpath. This overhanging would cause an obstruction to the free flow of pedestrian movement along the footpath forcing pedestrians onto the vehicular highway. This would cause inconvenience to pedestrians and increase risk to their safety.
7. I observed, on my visit, that there are other properties in the area with hardsurfaced frontages clearly intended to be utilised for parking purposes, including that of a property opposite the appeal site. My attention has been drawn to other examples in the area in which similar development has taken place, including a number of properties at The Chase in which I observed a vehicle parked at a hardsurfaced frontage that overhung the public footpath. The appeal before me relates to a different plot and differing circumstances. This appeal therefore can and should be considered in its own right.
8. For these reasons I conclude that the proposed development would not achieve a safe and accessible off-street parking space, and as such, would be harmful to highway safety in Central Park Gardens. The proposal would be contrary to Policies T1 and T2 of the Medway Local Plan 2003 that seek to prevent proposals for the formation of a new access which would be detrimental to the safety of the vehicle occupants, cyclists and pedestrians and also seek to ensure development will not significantly add to the risk of road traffic accidents, amongst other matters.

Conclusions

9. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Davies

INSPECTOR