
Appeal Decision

Site visit made on 16 November 2016

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

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

Decision date: 2 December 2016

Appeal Ref: APP/A5270/D/16/3158260
74 Twyford Avenue, Acton, Ealing, W3 9QB

- 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 Martin Gormley against the decision of the Council of the London Borough of Ealing.
 - The application Ref 160614HH, dated 3 March 2016, was refused by notice dated 20 June 2016.
 - The development proposed is a vehicle crossover.
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Application for Costs

1. An application for costs was made by Mr Martin Gormley against the Council of the London Borough of Ealing. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for a vehicle crossover at 74 Twyford Avenue, Acton, Ealing, W3 9QB in accordance with the terms of the application, Ref 160614HH, dated 3 March 2016 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:200 block plan and 01 existing and proposed floor plans.

Main issue

3. The main issue in this case is the effect of the proposal on highway safety, having regard to the provision of parking.

Reasons

4. The appeal site is a three storey semi-detached house located on Twyford Avenue, a relatively broad straight single carriageway residential road. It lies within the Creffield Conservation Area. A large number of the properties along the road have parking in the front garden with access crossovers and dropped kerbs to the road. The road is subject to a 20 mph speed limit and has extensive traffic calming measures including speed cushions. There are several designated parking bays along it, including one along a frontage which includes

- No. 74. The footways on both sides are broad and provide good visibility for cars emerging from the private accesses along the street.
5. The Council refers to the following policies in this case. London Plan policy 6.13 sets out a strategic approach to parking with the aim of preventing excessive car parking provision. The Addendum to it refers to the scope for flexibility in the provision of residential parking in different parts of London, having regard to factors such as patterns of car ownership and on- and off-street parking. It sets out maximum standards for the number of spaces per unit with reference to PTALs (Public Transport Accessibility Levels).
 6. Policy 6.13 of the Ealing Development Management Development Plan Document 2013 (the DMDPD), as it is before me, sets out the local variation for parking in Ealing with reference only to disabled parking, and as such it of little relevance in this case.
 7. The proposal is for a vehicle crossover at the front of the property. This would be in conjunction with the use of part of the front garden for car parking. I saw during my visit that there are numerous other crossovers along this part of Twyford Avenue serving similar parking areas. These include ones on both sides of the road between No. 74 and the traffic lights at the junction with Creffield Road.
 8. In my opinion, the proposal would not cause harm to highway safety. I accept that the front garden is not large enough to allow a vehicle to manoeuvre so as to enter and leave the site in a forward gear. However, in view of the speed limit along the road and the presence of traffic calming cushions close to the proposed access, I consider that overall vehicle speeds in the vicinity would be so low as to make it highly unlikely that vehicle manoeuvres would increase the risk to other road users, particularly as there are so many other well established crossovers nearby, and drivers and pedestrians are likely to be aware of these and proceed with caution. Use of the crossover is unlikely to be so frequent as to seriously interrupt the flow of traffic along the road.
 9. The Council has put forward no evidence of accidents or other problems nearby to support its case that the proposal would be detrimental to highway safety. On the other hand, the appellant argues that of the accidents in the previous five years, two were at the junction with Creffield Road and resulted in slight injuries and the other was some distance away from No. 74. None involved vehicles emerging from an access.
 10. The site is in a Controlled Parking Zone with restrictions to deter commuter parking. It is unclear to me from the information before me what amount and type of parking is required here. Parking bays are marked out along much of the length of the road, including across the frontage of the site. The proposal would enable one and possibly two cars to be parked off the road. This would potentially result in the loss of an on-street parking space at the end of the bay where it gives way to a yellow line running to the junction with Creffield Road.
 11. I saw during my visit in the middle of an afternoon that there were few cars parked along the road. Notwithstanding the appellant's assertion that there is not excessive pressure for on-street parking here, I am aware that this might be different in the evenings and at weekends. However, the Council has not put forward any firm evidence to support its assertion that there is such pressure.

12.I consider that it would not be necessary to remove the existing parking space in front of the site. It could continue to be used by the appellant and his visitors and casual parking by others could be discouraged by the provision of a white 'courtesy' line. In any case, the new off-street space would effectively compensate for the loss of the on-street space.

13.I conclude that the proposed vehicle crossover would not result in harm to highway safety or an unacceptable loss of on-street parking. It would not be contrary to policies 6.13 of the London Plan and 6.13 of the DMDPD.

14.For the reasons given above, the appeal is allowed.

PAG Metcalfe

INSPECTOR