

Appeal Decision

Site visit made on 4 January 2017

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 11th January 2017

Appeal Ref: APP/R3515/D/16/3157913

146 Hadleigh Road, Ipswich IP2 0HH

- 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 Darren Aston against the decision of Ipswich Borough Council.
 - The application Ref IP/16/00481/FUL, dated 5 May 2016, was refused by notice dated 4 July 2016.
 - The development proposed is the widening of existing dropped kerb and vehicular crossing/access.
-

Decision

1. The appeal is allowed and planning permission is granted for a widening of existing dropped kerb and vehicular crossing/access at 146 Hadleigh Road, Ipswich IP2 0HH in accordance with the terms of the application, Ref IP/16/00481/FUL, dated 5 May 2016, 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: site location plan and block plan both dated 4 May 2016; undated and unnumbered plan showing detailed measurements for 'new dropped area'.

Procedural Issue

2. The proposal as described on the application form was somewhat descriptive and referred to other matters beyond the scope of the application. I have therefore used the Council's description of development in my decision above which is more succinct and relates more directly to the works requiring planning permission.

Main Issue

3. The main issues are; the effect of the proposal on highway safety; and whether the proposal would result in a disproportionate loss of kerbside parking.

Reasons

4. Number 146 Hadleigh Road comprises a semi-detached property located on the northern side of the road. It has an existing vehicular access which leads to a garage set back to the rear of the property, which is a similar arrangement for other pairs of semi-detached properties on either side. The front garden is currently paved and accommodates additional parking.

5. With regard to highway safety, the Council appears to be concerned because it considers that the frontage area would not allow vehicles to turn on-site and enter and leave in a forward direction. The appellant disputes that arguing that he is able to turn a family saloon on-site and indeed at the site visit I saw two vehicles parked on-site in such a manner to indicate that might be the case, albeit not particularly practical. However, even if it were not, the historic situation with regard to the original access is that vehicles would not have been able to turn on site, which is also the case for adjoining properties on the north side of the road, as well as for those opposite on the south side. In that respect I observed that the standard practice appears to be vehicles reversing into their properties so that they can exit in a forward direction. There is excellent visibility in both directions at this point and therefore such a manoeuvre is unlikely to raise any highway safety issues.
6. I have not been referred to any accident statistics in the vicinity and I also note that apart from commenting on the lack of on-site manoeuvring space, the Highway Authority did not point to any actual highway safety issue arising in its consultation response, because of the perceived lack of on-site turning. I also note that the officer report commented that an inability to turn on-site currently exists and would not be created by the proposal.
7. In the light of the above, I find that there would be no adverse effect upon highway safety as a result of the widening of the existing vehicular access.
8. In terms of loss of kerbside parking, there are no highway parking restrictions on either side of the road in the vicinity of the appeal site, apart from double yellow lines either side of the entrances to side streets. There was little on-street parking at the time of my site visit, albeit I acknowledge that it was the middle of the day and there may well be additional parking in the evening period. However there is no evidence before me that there is a significant demand for such parking which I do not find surprising given that most properties in the vicinity have on-site parking.
9. Outside the appeal site there is a narrow verge with well worn tyre marks indicating that it is often parked on. Indeed the appellant refers to the use of kerbside parking outside his property by himself. Should the proposal go ahead, one kerbside space would be lost but since it appears to be mainly used by the appellant, and presumably that vehicle would then be parked on-site as opposed to the road, there would be no greater pressure arising for on-street parking. I acknowledge though that such a situation may not exist in the future should occupation of the property change.
10. As a starting point, local parking standards set out that where there is no overriding road safety issue, the Highway Authority looks to resist the widening of an existing vehicular access, where it would result in the disproportionate loss of kerbside space. Because of my finding above, I accept that there is no overriding road safety issue. However in the absence of any evidence to demonstrate on-street parking pressures, I do not consider that such a minimal loss of one space could reasonably be described as a disproportionate loss of kerbside parking in the context of the local area where the majority of properties have on-site parking in any case.

11. Having regard to the above, I consider that the proposal would comply with Policies DM17 and DM18 of the Council's Core Strategy and Policies Development Plan Document 2011, in that there would be no adverse impact upon highway safety and strict compliance with local parking standards is not necessary in this instance given other material considerations.
12. A condition requiring the development to be carried out in accordance with the approved plans is required in the interests of certainty. Accordingly, the appeal should be allowed and planning permission granted.

Kim Bennett

INSPECTOR