

Appeal Decision

Site visit made on 6 June 2017

by J J Evans BA (Hons) MA MRTPI

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

Decision date: 10 July 2017

Appeal Ref: APP/D3315/W/17/3170712

126/128 Galmington Road, Taunton TA1 5DW

- 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 Joan Viveash and Mrs Gemma Richards against the decision of Taunton Deane Borough Council.
 - The application Ref 52/16/0029, dated 25 November 2016, was refused by notice dated 1 February 2017.
 - The development proposed is the construction of new vehicle access to existing hard standings, to include lowering kerbstones.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The original application description proposed the construction of a new vehicle access to existing hard standings, and also the lowering of kerbstones. From my visit it was apparent that the kerbstones are not within the red application site line area. Consequently, for the avoidance of doubt I have dealt with the development that is included within the red site line as shown on the submitted drawings.
3. The front garden of 128 Galmington Road was laid to gravel, and between 128 and 126 Galmington Road was an area of hardstanding, with the rest of the front of No 126 being lawn. Although not referred to in the original application description, the drawing entitled "Proposal new acc" shows part of the front garden of No 126 to be gravelled. Notwithstanding the description above, it is clear from the submitted drawings that the proposal includes the provision of hardstanding in front of No 126. I have determined the appeal having regard to this.
4. As part of their appeal submission the appellants have provided a drawing entitled "Proposed Amended", which shows a revised parking scheme. However, there are several differences between the appeal scheme and that considered by the Council. The scheme differs significantly from the original application and as others have not had an opportunity to comment I am unable to accept it as an amendment to the proposal. I have therefore determined the appeal on the basis of the proposal as considered and refused by the Council.

Main Issue

5. The main issue is the effect of the construction of a new vehicle access to existing and proposed hard standings on highway safety.
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Reasons

6. The appeal properties are two semi-detached houses positioned within a mostly residential area comprising similar aged and styled dwellings. Like many of the nearby houses, the appeal properties are set back from the footway behind regular shaped front gardens. To either side of Galmington Road there are grass verges that separate the carriageway from the footways. On-street parking is in places restricted by double yellow lines, although designated parking areas are provided within the highway.
7. There is a signal controlled pedestrian and cycle path crossing close to the appeal properties, and the crossing's zig-zag keep-clear markings extend in front of the gardens of both the houses. There are also wooden bollards within the grass verge to prevent parallel parking near to the crossing. Just beyond the crossing is the junction with College Way. From what I observed during my mid-day site visit, I do not disagree with the Council's description of the road as being well-used.
8. Even with the provision of gravelled areas for both houses, the constrained nature of the parking would be such that vehicles would not be able to enter and leave in forward gear. Reversing manoeuvres would have to occur, particularly if other cars were parked, and these actions would be very close to the controlled pedestrian crossing. Such movements would thus be a danger to other users of the highway particularly as these users would be concentrating on the activity within the road, the crossing and nearby junction, rather than what is occurring within the appeal properties.
9. At my visit I saw cars were parked within the appeal site. It was evident that vehicles could pass between the bollards in the grass verge, and from the tyre marks present that manoeuvring into the existing spaces includes using the footway and verge. I appreciate parking is already occurring at both properties. Nevertheless, the proposal would increase movements beyond that which already occurs, to the detriment of users of the public highway.
10. Furthermore, in addition to negotiating the bollards, there would also be partly restricted visibility due to a lamp-post within the footway and a mature tree within the verge. These circumstances when taken together with the proximity of the junction and crossing, as well as the limitations of the proposed access and parking layout would not be the safe and secure arrangements for all users of the highway sought by the National Planning Policy Framework (the Framework).
11. The appellants have drawn my attention to the parking difficulties in the area, and consider the Council have not responded to local circumstances, as required by the Framework. However, the requirements of the occupiers of the houses to have off-road parking would be a personal benefit that would not outweigh the harm I have found. Moreover, on-street parking was present nearby, although I accept that this would be available for anyone to use.
12. I noted that elsewhere along Galmington Road there are properties that have driveways, including some that are near a crossing. However, I do not have the full planning history of these properties before me, nor are they in such close proximity to a road junction as the appeal site. In any case each scheme has to be treated on its own individual merits in accordance with the

requirements of the current development plan and all other material considerations, as I have undertaken in this instance.

13. Thus the proposal would have an unacceptable impact on highway safety, contrary to the requirements of the Framework and Policy DM 1 of the Taunton Deane Core Strategy (2012). This requires amongst other things, development not to lead to road safety problems.

Other Matters

14. Finally, the appellants concerns regarding the Council's handling of the application are procedural matters. Such matters fall to be pursued by other means separate from the planning appeal process and are not for me to consider.

Conclusion

15. For the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR