
Appeal Decision

Site visit made on 18 July 2017

by Rachael A Bust BSc (Hons) MA MSc LLM MEnvSci MInstLM MCMI MRTPI

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

Decision date: 09 August 2017

Appeal Ref: APP/H0520/W/17/3167959

Land at 15 London Road, Godmanchester PE29 2HZ

- 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 and Mrs Greagg against the decision of Huntingdonshire District Council.
 - The application Ref 16/01824/FUL, dated 31 August 2016, was refused by notice dated 20 December 2016.
 - The development proposed is the erection of two storey dwelling and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on highway safety.

Reasons

3. The appeal site is part of the rear garden to No 15, on the eastern side of London Road. No 15 is the end of a terraced group of 3 properties (Nos 15, 17 and 19) which front onto the highway. The vehicular access into the appeal site is 3 metres wide according to the dimensions on the proposed block plan (drawing reference 469-P-04). It is bounded by the gable end and front porch of No 15 and a brick wall, approximately 1.5 metres high. The access has no existing vehicle crossover (dropped kerb), although it is clearly used for access and parking.
4. London Road is a busy road with two way traffic running through the southern side of the centre of Godmanchester. It connects to the A14 via the A1198 thereby giving access to Cambridge to the south and onto the A1 and Peterborough to the north. It provides the principal southern entrance to Godmanchester and also an alternative access to Huntingdon.
5. There are parking restrictions, double yellow lines, along the western side of London Road. Consequently on-street parking is directed onto the unrestricted eastern side. However, there are several features, including driveways (and the access into the appeal site), entrances into backland garage areas and bus stops, all of which naturally reduces the potential on-street parking space on the eastern side of this part of London Road.

6. At the time of my site visit, which I appreciate is only a snapshot; there were a number of vehicles already parked on the eastern side of London Road. These parked vehicles resulted in regular queuing whilst traffic waits to pass. It would be reasonable to anticipate that on-street parking opportunities will vary throughout the day, with more pressure for spaces likely within evenings and weekends. I note that No 17 has no off-street parking and as such is reliant upon on-street parking outside of Nos 15-19.
7. The appeal proposal would use the existing vehicular access, and 2 car parking spaces and turning area have been included within the proposed layout. This access arrangement would generally be satisfactory to serve a single dwelling. However, this would result in the loss of the existing off-street parking provision for No 15 as the host dwelling. I acknowledge the appellants' view that they are already able to park without restriction on the highway outside of their property. This would lead to an even greater reliance upon the on-street parking for the properties in this part of London Road.
8. The access is bounded to the south by the brick built entrance porch attached to the front of No 15 and to the north by a curved brick wall of around 1.5 metres high. Visibility would be limited for vehicles emerging from the appeal site by these features and the on-street parking. Vehicles exiting would need to go beyond the footway and onto the edge of the road before gaining sufficient visibility of approaching traffic beyond the vehicles parked on-street.
9. I note that on-street parking immediately to the north of the access would be less likely due to the proximity of the entrance to the driveway of No 7a. However, the on-street parking immediately outside Nos 15, 17 and 19, to the south, would present a significant obstruction for drivers emerging from the appeal site.
10. Given that the on-street parking is only available on the eastern side of London Road it does already generate some impediment to the free flow of traffic. Whilst parked vehicles in the highway can have a traffic calming effect, when combined with the limited visibility for vehicles emerging from the appeal site, I find that there would be harm to highway safety.
11. I note that the Council has used saved Policy T18 of the Huntingdonshire Local Plan (HLP), adopted 1995. Policy T18 relates to estate roads, footpaths and cycleways. I understand the appellants' point that this proposal is not creating a new highway. However, the policy is seeking to ensure acceptable design and construction that would provide safe and convenient vehicular access to new dwellings. Although this policy pre-dates the National Planning Policy Framework, I apply the principle set out in paragraph 215 (that the closer the policies in question are to the policies in the Framework, the greater the weight that may be given to the policies in question). Policy T18 is consistent with paragraph 32 of the Framework which requires safe and suitable access for all. I therefore find that the appeal proposal would be in conflict with saved Policy T18 of the HLP.
12. Policies LP17 and LP18 of the emerging Draft Huntingdonshire Local Plan 2013 (DHLP) have been cited by the Council. Whilst there is some support for the appeal proposal within Policy LP17 in terms of the aims to increase the choice of non-car based travel, the proposal is in conflict with the requirement to minimise adverse effects of traffic movement to, from and within the site including the effect of car parking. Policy LP18 seeks to ensure that new

development provides sufficient parking to meet its needs and minimises the impacts on neighbouring uses. Whilst the appeal scheme does provide sufficient parking to meet its own needs, it fails to minimise its impact on the amenity of nearby properties arising from the displacement of existing parking for No 15. Although the emerging DHLP has apparently not progressed since 2013, I find that the principles behind Policies LP17 and LP18 are in general conformity with the Framework, and therefore I afford them limited weight in my decision making on this appeal taking into account the stage they have reached.

Other matters

13. My attention has been drawn to a nearby planning permission granted in February 2012 for the demolition of garages used by properties 14-20 London Road on land to rear of 18-22 London Road. The appellants' have suggested that the Council has already accepted some loss of off-street parking and that on-street parking is a self-regulating matter and should not result in harm to highway safety or free flow of traffic. I have no evidence before me to confirm whether these garages were in use or why the Council deemed those proposals to be acceptable. As such I can give this only limited weight in my determination of this appeal.
14. I have had regard to other concerns raised by interested persons. However, I note that the Council considered that proposal was acceptable in relation to the living conditions of neighbours and the loss of trees. I have no reason to reach a different conclusion on these matters.
15. The appellants suggest that the 0.3 miles distance to services and facilities together with the bus services provided along London Road mean that the reliance upon the private car can be reduced. Whilst this may be the case, it is clear from the evidence submitted that the existing occupiers of No 15 do have at least one car which as a consequence of this appeal proposal would have to be parked on-street.

Conclusion

16. I acknowledge that the appeal site is in an accessible location, within the southern side of the centre of Godmanchester; within walking distance of the nearest bus stop; and that this is a single dwelling. However, on balance, I find the harm to highway safety arising from the limited visibility for vehicles emerging from the appeal site access as a consequence of on-street parking outweighs the potential benefits of the provision of a single dwelling.
17. Taking all matters into consideration and for the reasons given above, the appeal is dismissed.

Rachael A Bust

INSPECTOR