
Appeal Decision

Site visit made on 23 October 2017

by **Helen Cassini BSc(Hons) DipTP MRTPI**

Decision date: 31 October 2017

Appeal Ref: APP/A5270/D/17/3179862
15 Old Oak Road, Acton W3 7HN

- 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 Miles Samaratne against the decision of the Council of the London Borough of Ealing.
 - The application Ref: 171653HH, dated 3 April 2017, was refused by notice dated 26 May 2017.
 - The development proposed is the formation of vehicular access and provision of hardstanding for single car park incorporating boundary treatment amendment.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed vehicular crossover on the safety of pedestrians, cyclists and drivers using Old Oak Road.

Reasons

3. The appeal site is a 2-storey semidetached dwelling located on the western side of Old Oak Road and sited within The Vale Controlled Parking Zone (CPZ). The dwelling has an existing significant boundary wall with mainly hard surfacing behind.
4. The planning history of the site is noted; in particular the planning application for a similar scheme which was refused planning permission in June 2016¹. It is however acknowledged that the appellant has amended the scheme which is the subject of this appeal to include lowered front boundary treatments.
5. In the submitted evidence, the Council confirm that for vehicle crossovers, on classified roads, the forecourt requirement is a minimum of 11 metres by 8 metres. This space is required in order to allow vehicles to access and egress the site in a forward gear. Furthermore, the maximum width of a single crossover should be 2.4 metres. The proposed crossover would be approximately 3.25 metres wide, with the forecourt measuring some 7.5 metres by 8.4 metres. As such, the proposal fails to comply with the required technical standards.
6. A number of parking bays, for use by resident permit holders and also as a pay and display provision, are located on the road directly outside the appeal site.

¹ Council reference 1602999HH

As a consequence of the width of the proposed crossover, the loss of one parking bay would result.

7. Although located within a CPZ, at the time of the visit the majority of the bays in proximity to the appeal site were empty. It is accepted that observations made during visits are a snap shot in time. However, even with the loss of one bay, it is considered that sufficient on-street parking would be available to accommodate demand. Moreover, the Council has not provided any substantive evidence to demonstrate severe parking stress within the immediate locality.
8. It is also noted that the speed limit on Old Oak Road has been reduced from 30 miles per hour to 20 miles per hour. Nevertheless, the road carries substantial volumes of traffic, including heavy good vehicles and buses. Many of the vehicles were observed to be travelling at what appeared to be well in excess of 20 miles per hour at the time of the visit. In addition, a number of cyclists and pedestrians also make use of the road and adjoining footpath. Although only snapshot at a particular time of day, no evidence has been provided to suggest they are not representative of regular traffic flows.
9. Due to the limited available space, drivers would be required to access and egress the site in a reverse gear. The reduction in height of the front boundary treatments would allow for an increased degree of visibility for users of the parking bay when leaving the site. Notwithstanding the reduction in height, no formal visibility splay information has been submitted to confirm the available degree of visibility.
10. In addition, given the presence of parking bays on the road, when a vehicle is leaving the site, visibility would be further restricted if the spaces have been filled. It is accepted that all drivers must be vigilant when accessing and egressing existing driveways. Notwithstanding this, from both the evidence before me, and from observations made during the site visit, it is considered that the likelihood of vehicles entering or exiting the site in reverse gear would cause material harm to highway safety.
11. Reference has been made to other examples of vehicle crossovers and associated parking on Old Oak Road. However, no details have been provided with regard to the circumstances of such developments. The appeal proposal has therefore been considered on its own merits. As such, the examples cited do not outweigh the significant harm identified.
12. The proposal would therefore have a severe effect on highway safety. As such it is contrary to Policy 6.3 of The London Plan 2016 and Policy 1.1 of the Ealing Council Development Strategy Development Plan Document 2012. Taken together these policies seek, amongst other things, to ensure that development does not adversely affect safety on the transport network.

Conclusion

13. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Helen Cassini

INSPECTOR