
Appeal Decision

Site visit made on 6 December 2017

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 29 December 2017

Appeal Ref: APP/A5270/D/17/3180805
334 Windmill Road, Ealing W5 4UR

- 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 Laura Pereira against the decision of the Council of the London Borough of Ealing.
 - The application Ref 171647HH, dated 2 April 2017, was refused by a notice dated 22 May 2017.
 - The development proposed is vehicle crossover to front of property.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council altered the description from 'Parking bay outside of property would be replaced by access to property via the dropped kerb', to 'Vehicle crossover to front of property'. This is also the description used by the appellant on the appeal form and I consider it to be a more accurate description of the appeal proposal. The Council dealt with the proposal on this basis and so shall I.

Main Issue

3. The main issue in this case is the effect on highway safety, with particular regard to the free flow of traffic and vehicular and pedestrian safety.

Reasons

4. The appeal property is a terraced house which has a paved front garden of dimensions, 7.3metres (m) deep by 4.3m wide. It is situated on Windmill Road, which is classified as a local distributor road, and also in a location where on-street parking is restricted on both sides of the street to permit holders during the hours 6am–10am and 3pm–4pm Monday through to Saturday.
5. The Council's Supplementary Planning Document No 8: Crossovers and Parking in Front Gardens, 2006 (SPD) states that front gardens which are proposed to accommodate a vehicle with access from a classified road should be a minimum of 10m x 8m to allow a vehicle to enter, manoeuvre safely and exit in a forward gear. The parking area in this case would be significantly below that size and there would be insufficient space for vehicles to enter and leave the site in a forward gear.
6. Moreover, I noted on my visit to the site that visibility when emerging from the parking area was restricted in the critical direction by the presence of a

neighbouring gatepost and the fence/trellis situated along the boundary between Nos. 332 and 330 Windmill Road. Consequently, not only would vehicles be required to either stop on the highway and reverse into the site or reverse out of the site onto the carriageway, but they would be making those manoeuvres in a location where visibility to vehicles approaching the site on the nearside carriageway, would be restricted.

7. I understand that removing a car parking space from the street may improve visibility for vehicles entering and leaving other vehicular accesses. However, in this instance neither of the neighbouring properties have forecourt parking. Therefore, removing a roadside space in this location would provide little benefit in this regard. Furthermore, whilst the proposal would provide one off-street parking space, it would remove space for up to two cars to park on the road, and as a consequence increase parking stress in the area.
8. Whilst the Council has not provided any evidence of accidents in the locality, they state that Windmill Road carries high levels of traffic and is a bus route. From my observations on site, which was late morning on a weekday, there was a continual flow of traffic in both directions along this road. Whilst I recognise that this only provides a snapshot of the situation, from what I saw, and in the absence of any evidence to suggest otherwise, I would concur with the Council's view. Vehicles reversing on and off this road would therefore impede traffic flows on this local distributor road.
9. I recognise that a number of other properties along Windmill Road have forecourt parking; however I also noted that some of those properties do not have vehicular crossovers. In any event, I am not aware of the individual circumstances of those active driveways and I have considered the appeal proposal on its own merits. Given the presence of other active driveways, I accept that pedestrians would be aware of vehicles crossing over the pavement in this location, however this consideration does not outweigh the harm I have identified to pedestrian and vehicle safety as a result of restricted visibility for drivers of vehicles emerging from the site.
10. I conclude that the proposal would have a harmful effect on highway safety, with particular regard to the free flow of traffic and vehicular and pedestrian safety. It would conflict with the development plan and in particular with Policy 6.3 of the London Plan which states that development should not adversely affect safety on the transport network and Section 4 of the National Planning Policy Framework which advises that decisions should ensure that safe and suitable access can be achieved for all people. I also find conflict which the SPD, the aims of which are set out above.

Conclusion

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

Elizabeth Pleasant

INSPECTOR