

Appeal Decision

Site visit made on 4 March 2019

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

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

Decision date: 09 August 2019

Appeal Reference: APP/T3535/W/18/3212210

Land Adjacent to 48 McLean Drive, Kessingland, Lowestoft, Suffolk NR33 7TY

- 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 J Cole against the decision of Waveney District Council.
 - The application (reference DC/18/1952/FUL, dated 2 May 2018) was refused by notice dated 10 July 2018.
 - The development proposed is described in the application form as a “three-bedroom detached bungalow, plus new dropped kerb”.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on highway safety and convenience.

Reasons

3. Kessingland lies a short distance to the south of Lowestoft and is, itself, a substantial settlement, close to the sea. McLean Drive is located in an extensive residential area that has a distinctive layout, with grouped garage courtyards and parking areas, typically serving bungalows that, in many cases, are not directly accessible from a road but are reached by a network of pedestrian ways.
4. The appeal site is an open and unkempt area at the end of a short terrace of bungalows that face an open space across a pedestrian way. The bungalows are conventional in design, with modest gardens at the front and rear. Although the site address is in McLean Drive, however, it is located close to the end of Turrell Drive, where there is a group of publicly accessible parking spaces. Some (but by no means all) of the dwellings in the vicinity face a road and have the benefit of crossovers and on-site parking spaces (including some properties in Turrell Drive, for example). There is evidently some pressure on the public parking that is available.

5. It is now proposed that the appeal site should be developed by the construction of a new bungalow. As an integral part of the project, it is intended that the layout would include an on-site car parking and turning area that, in turn, would necessitate the installation of a new dropped kerb, to permit vehicular access to the site.
6. Under the broad heading "Promoting sustainable transport", Section 9 of the revised 'National Planning Policy Framework' deals with a number of transport related issues. It points out the need to address concerns about the transport network (in terms of "capacity and congestion") and to prevent significant impacts on highway safety.
7. These considerations are underpinned by Policy DM02 of the 'Development Management Policies Development Plan Document' (adopted in 2011) which includes the aim of providing "good access for all" (among other things).
8. The proposed new development would occupy an open area of land that contributes to the character of the path that runs alongside the site. On the other hand, it would create a new dwelling in a built up area that would evidently be sustainable in principle.
9. Nevertheless, the scheme gives rise to objections based on the access proposals. Even though the scheme would make provision for on-site parking to serve the new dwelling itself, it would result in the loss of at least one existing publicly available parking space. Moreover, the site access would be relatively narrow, restricted by the existing telegraph pole and requiring a tight turn for cars entering the new parking spaces. In consequence, the scheme would be awkward in itself and would add to parking pressures in the vicinity, causing unnecessary harm to highway conditions and prejudicing highway safety and convenience.
10. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the contribution that the appeal scheme would make to the provision of residential accommodation in the locality weighs in favour of the appeal. Nevertheless, I am convinced that the effect of the proposed development on highway safety and convenience, though relatively small in scale, outweighs the benefits of the project. Hence, I have concluded that the scheme before me ought not to be allowed and, although I have considered all the matters that have been raised in the representations (including the effect on nearby properties), I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR