
Appeal Decision

Site visit made on 18 November 2019

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 27 November 2019

Appeal Ref: APP/Z1775/D/19/3236186
22B Priory Crescent, Southsea PO4 8RL

- 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 Martin Howe against the decision of Portsmouth City Council.
 - The application Ref 19/00843/HOU, dated 29 May 2019, was refused by notice dated 7 August 2019.
 - The development proposed is to install a dropped kerb.
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Decision

1. The appeal is allowed and planning permission granted to install a dropped kerb at 22B Priory Crescent, Southsea PO4 9RL in accordance with the terms of the application, Ref 19/00843/HOU, dated 29 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 scale 'Site Location Plan' and 1:200 scale 'Block/Site Plan'.

Main Issue

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

Reasons

3. The appeal site is located on the west side of Priory Crescent, a classified road (the C450) which forms part of Portsmouth's primary road network. The proposal is to install a dropped kerb outside the property to form a vehicle crossover.
4. The Council's adopted Parking Standards and Transport Assessments Supplementary Planning Document (SPD) 2014, amongst other things, sets out residential car parking size standards. It states that for a parking space in front of a property at 90 degrees to the property, a space 3.0 metres wide by 5.0 metres deep is required. The Council's officer report states that the parking provision created at the appeal site measures 7.0 metres wide by 4.0 metres deep. Based on the evidence before me I have no reason to disagree with these measurements. The appellant asserts that the parking provision is big enough to park the larger of his household vehicles at 90 degrees to the property without obstructing any of the footway.

Nonetheless, the depth of the forecourt between the building and the edge of the footway is approximately 1 metre less than that required by the SPD.

5. The SPD also sets out the required dimensions of a space to park parallel to a property. In this regard, it states that a space 6.0 metres wide by 3.0 metres deep is required. Taking into account the size of the parking provision at the appeal site, although it would not be sufficient to allow a vehicle to turn (to enter/leave in a forward gear), it would be of sufficient size to allow a typical car to be parked parallel to the property without it overhanging the footway.
6. Although not cited in the Council's decision notice I note the Council's officer report refers to updated size guidance for a vehicle to park in front of a property parallel to the property. The officer report states the space provided should be 7.2 metres wide by 3.0 metres deep and as the width of the site frontage is 7.0 metres the parking provision fails to comply with the updated guidance by 0.2 metres. However, I have not been provided with the updated guidance nor any other details such as whether it has been adopted. I can, therefore, only afford the updated guidance referred to in the officer report limited weight as part of the determination of this appeal.
7. I acknowledge that the parking provision space is too small to allow a vehicle to turn thereby allowing it to enter/leave in a forward gear. Indeed, this is not a matter of contention between the main parties. I note the highway authority considers that although no traffic assessment has been provided the proposal would not have a material impact on the local highway network; moreover, adequate visibility is achievable from the site access. Based on my own observations at my site visit I have no reason to disagree with this view. Thus, even if a vehicle leaving the site was not able to leave in the direction it entered the site, I have no compelling evidence before me to indicate that this would have a detrimental impact on the safety of road users and pedestrians.
8. Having had regard to the above matters, I am not persuaded that the proposal, even though the width of the site frontage is a little less than required in updated size guidance referred to in the Council's officer report, would result in additional hazard and inconvenience to all road users to the detriment of highway safety. Consequently, the proposed development would accord with the highway safety aims of paragraph 109 of the National Planning Policy Framework; Policy PCS17 of the Portsmouth Plan (PP) 2012, and the SPD. The Council has referred to Policy PCS23 of the PP in their refusal notice. However, this policy is not directly relevant to highway safety.

Conditions

9. Planning permission is granted subject to the standard three-year time limit condition. A condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of certainty.

Conclusion

10. For the reasons set out above I conclude that the appeal should be allowed.

Andrew Bremford

INSPECTOR