



Appeal Decision

Site visit made on 17 December 2019

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2019

Appeal Ref: APP/P1615/W/19/3238141

Aloma, Road from Junction at Breambury to Station Road, Palmers Flat, Coalway GL16 7HT

- 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 Scott Harrison against the decision of Forest of Dean District Council.
 - The application Ref P0843/19/FUL, dated 28 May 2019, was refused by notice dated 28 June 2019.
 - The development proposed is to create off-road parking in existing front garden, requiring lowering of kerb, removing existing front wall and access across public footpath.
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Decision

1. The appeal is allowed and planning permission is granted to create off-road parking in existing front garden, requiring lowering of kerb, removing existing front wall and access across public footpath at Aloma, Road from Junction at Breambury to Station Road, Palmers Flat, Coalway GL16 7HT in accordance with the terms of the application, Ref P/0843/19/FUL, dated 28 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 Site Location Plan; 1:200 Block/Site Plan – Current; 1:200 Block/Site plan.
 - 3) Prior to the laying of any hard surface, full details of the proposed parking area and boundary treatments shall be submitted to and be approved in writing by the Local Planning Authority. The details shall include:
 - Cross section(s) providing existing and proposed levels of the parking area and any boundary treatments,
 - Materials to be used, including their colouration, and
 - Surface Water Drainage details.

Thereafter the parking area and dropped kerb shall be fully implemented in accordance with these details prior to its first use for the parking of vehicles and shall be maintained in perpetuity.

Procedural matter

2. The description of development on the application form includes some justification for the development. As this is not, in itself, an act of development I have not included those words in my heading or formal decision.

Main Issue

3. The main issue is the effect of the development on highway safety.

Reasons

4. The proposed new access, which would provide parking within the front garden of Aloma, would have adequate visibility on egress to the right. However, due to a bend in the road, the visibility to the left would fall significantly short of that set out in Gloucestershire County Council's Standing Advice – Technical Note 2nd Edition: Proposed or Existing Residential Development – 5 dwellings or less (SA).
5. The SA sets out that if visibility meeting certain standards can be achieved, then they are 'deemed to satisfy' the County Council's requirements. It goes on to suggest that if the standards cannot be met, then a speed survey may justify reduced visibility. No speed survey has been undertaken, but with regard to the width and alignment of the road, I have no reason to dispute the Council's assessment that it is unlikely that speeds would be so low as to justify the limited visibility available, on the technical standards in the SA.
6. Notwithstanding the above, regard must be had to the characteristics of the road and its surroundings. The site is within a ribbon of other residential development, alongside the highway. The vast majority of these other dwellings have private accesses, directly onto the road. Drivers should, therefore, be alert to the hazards associated with multiple residential access points.
7. Within the immediate surroundings, obstructions to visibility at the accesses are commonplace, either due to the presence of boundary walls or the alignment of the road. Most notably, the neighbouring properties between the site and the bend in the road exhibit, at best, the same restricted visibility as would occur at the appeal site. I observed a car emerging tentatively from one of these accesses during my site visit. The manoeuvre was aided by good visibility to the right, such as would also exist at the appeal site.
8. I have no substantive evidence that there is a highway safety problem relating to the existing accesses along this stretch of highway. As the proposed access would broadly replicate visibility conditions elsewhere, I have no compelling evidence that it would be less safe than others nearby. Whilst the proposal would add to these existing technically substandard situations, one additional access point would not lead to a significant increase in movements. Therefore, given the large number of existing private accesses around the site any additional harm that may arise would be very limited.
9. Furthermore, the provision of on-site parking would significantly reduce the need for pedestrians, which could include small children, to cross the road to reach nearby off-site parking provision and access their vehicles close to the carriageway. There would be some benefit to highway safety as a consequence. Whilst this may not be a large benefit, and I have no

substantive evidence that crossing the road near the appeal site is manifestly unsafe, it would be sufficient to outweigh any limited harm that may arise from the substandard vehicular visibility.

10. Therefore, overall, I find that there would be no harm to highway safety. The proposal would not conflict with Policy CSP.1 of the Forest of Dean Core Strategy (2012) that, amongst other things, promotes good design with regard to the adequacy of existing infrastructure. Nor would there be any conflict with the highway safety requirements of the National Planning Policy Framework.
11. A plans condition is required in the interests of certainty. Given the limited amount of information shown on those plans, a further condition is required clarifying details of surface treatment, boundary treatment, levels and surface water drainage. The Council's suggested condition has a specific requirement for a 1:500 block plan, but one at 1:200 has already been provided. I also see no compelling reason for the details to be submitted prior to, say, the demolition of the wall or excavation of the site so I have adjusted the detailed requirements and timing accordingly.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

M Bale

INSPECTOR