
Appeal Decision

Site visit made on 20 January 2020

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2020

Appeal Ref: APP/V1505/W/19/3239903
23 Stock Road, Billericay CM12 0AH

- 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 Beckwith against the decision of Basildon District Council.
 - The application Ref 198/01087/FULL, dated 23 July 2019, was refused by notice dated 6 September 2019.
 - The development proposed is described as vehicle crossover.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the proposed development on the safety of highway users in Stock Road.

Reasons

3. The appeal site is located within a busy stretch of Stock Road, next to a pedestrian crossing and in close proximity to a roundabout. Although predominantly residential in character, the area does include some non-residential uses, namely a pharmacy, a dental surgery and two doctor's surgeries, all in close proximity to the site.
4. The proposal is for the construction of a vehicle crossover and removal of a safety barrier located next to a pedestrian crossing, which is in existence and in good condition.
5. Although there are properties along Stock Road that benefit from vehicle crossovers, these are either located significantly further away from the pedestrian crossing or are associated with properties that can accommodate parking without obstructing the footway. Furthermore, on the opposite side of the road from No.23, there are no vehicle crossovers and a significant amount of the footway is protected with safety barriers.
6. It is noted that the pharmacy and the nearest surgery, also located in close proximity to the pedestrian crossing, have crossovers. Nevertheless, by virtue of the size of the plot and the design and siting of those properties, parking can take place at the back without obstructing the public footway, and vehicles can comfortably manoeuvre as to not reverse into the footway and join the carriageway at right angles.

7. In the case of the appeal site, the limited distance between the dwelling and the site boundary would mean that a vehicle would be unable to park at right angles to the carriageway, without obstructing the footway while parked, and would also not be able to join the carriageway at right angles, leading to oblique manoeuvring on the footway to the detriment of highway safety.
8. In addition, the presence non-residential uses in close proximity to the site significantly increases the expected number of pedestrian movements. Furthermore, the proximity of the appeal site to a pedestrian crossing, where pedestrian can reasonably expect to congregate safely, would also increase the probability of pedestrians being unaware of a vehicle manoeuvring, causing an obstruction on the footway.
9. Although there may be other sites within the wider area where vehicles are not parked at right angle to the highway, I must determine the proposal before me on its own merits. And, taking into consideration the appeal site's specific location, the likely number of users of the highway and its close proximity to a pedestrian crossing, I do find, as identified, that the the proposal would cause harm to the safety of highway users.
10. Taking the above matters into consideration, I conclude that the proposal would cause material harm to the safety of highway users in Stock Road and therefore in conflict with Policy BAS BE12 of the Basildon District Local Plan Saved Policies (2007) which states that development that will cause material harm from traffic danger or congestion will be refused.

Other matters

11. I note that other matters have been brought to my attention in relation to this appeal, such as vehicle safety and the absence of any objections from neighbouring residents. I have taken these factors into consideration as part of my decision. Nevertheless, I do not find these arguments would outweigh the harm identified.

Conclusion

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

Andre Pinto

INSPECTOR