
Appeal Decision

Site visit made on 14 July 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd July 2020

Appeal Ref: APP/D1590/D/20/3245982
28 Hamstel Road, Southend-On-Sea SS2 4PF

- 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 Kristian Titmuss against the decision of Southend-on-sea Borough Council.
 - The application Ref 19/01697/FULH, dated 16 September 2019, was refused by notice dated 10 January 2020.
 - The development proposed is a permanent vehicle crossing at 28 Hamstel Road.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The site is a 2 storey semi-detached dwelling on Hamstel Road, which is a classified road. To the front of the property there is an area of hardstanding and a small wooden fence, which partially covers the frontage and borders the adjacent footpath. The road immediately outside the site has double yellow lines, which lead to the nearby junction with Droitwich Avenue. The double yellow lines carry on around the corner of Droitwich Avenue for a short distance, and then they continue along Hamstel Road to the traffic light junction with the A13.
4. To the north of the site, there are no parking restrictions up until the junction with Vaughan Avenue. The houses nearest to No 28 on the eastern side of the street, are predominately detached with wide frontages. This allows the occupiers of these properties to park off street and there is sufficient driveway space for a vehicle to enter and exit in a forward gear. On the opposite side of the road the properties have small front gardens and there are no parking restrictions, which allows vehicles to park outside the properties.
5. The proposal is for the creation of a permanent vehicle crossing outside the property by installing a dropped kerb. The access would adjoin the existing dropped kerb to the neighbouring property at No 30 Hamstel Road.
6. The submitted plans indicate that the front garden is 6.59m wide and 4.7m long, and that the proposed area of hardstanding would be 3m wide. The Council's standard for parking on a classified road, as set out in the Vehicle

Crossing Policy and Application Guidance (2014), is 8m by 8m. The proposal is not of an adequate size to allow a vehicle to enter and exit the site in a forward gear. Therefore, the drivers of the vehicle accessing the property would have to reverse into the road when exiting the site, or come to a stop in the road and then reverse into the proposed parking area. Due to the existing parking arrangements opposite the site, the proximity to the junctions with Droitwich Avenue and the A13 and it being a busy road, these manoeuvres would have a harmful effect on highway safety.

7. I note that there are properties in the street that have parking areas on their frontages that may not meet current standards. The appellant has also stated that they are not aware of any crashes caused by vehicles reversing in or out of the existing accesses. However, I do not have details of the planning status of the accesses, or when they were allowed or how the Council assessed them. The appellant has highlighted what they consider to be a similar scheme on another road in the local area¹. However, I have not been provided with full details of the scheme, therefore, I am unable to determine if they are directly comparable. In any case, each proposal must be determined on its own planning merits and within its own immediate context.
8. I acknowledge that a parking space immediately outside the property would make it easier for a family member with mobility problems to visit the property. However, the occasional visits are an insufficient reason to overcome the highway safety issues raised by the proposal. I also note that the appellant wishes to start a family and intends to swap their vehicle to an electric vehicle and install a charge point. Nevertheless, these factors do not overcome the harm that I have identified above. Whilst parking away from the property may be an inconvenience for the appellant, it does appear that there is on-street parking available on Hamstel Road and on the adjoining streets, that could be used for the parking of vehicles.
9. The proposed development would have a harmful effect on highway safety. Therefore, it would be contrary to Policy CP3 of the Southend-on-Sea Core Strategy (2007) and Policy DM15 of the Development Management Document (2015). These policies, amongst other things, require access to development to be safe for all road users and not cause harm to the surroundings.

Conclusion

10. For the reasons set out above, I conclude that the appeal is dismissed.

D Peppitt

INSPECTOR

¹ Appeal Ref: APP/D1590/W/16/3146126 - 20 Bournemouth Park Road, Southend-on-Sea SS2 5LN