
Appeal Decision

Site visit made on 15 September 2020

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st October 2020

Appeal Ref: APP/D1590/D/20/3252600

307 Westbourne Grove, Westcliff-on-Sea SS0 0PU

- 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 & Mrs R Bollu against the decision of Southend-on-sea Borough Council.
 - The application Ref 20/00202/FULH, dated 2 February 2020, was refused by notice dated 9 April 2020.
 - The development proposed is proposed dropped kerb.
-

Decision

1. The appeal is allowed and planning permission is granted for proposed dropped kerb at 307 Westbourne Grove, Westcliff-on-Sea SS0 0PU in accordance with the terms of the application, Ref 20/00202/FULH, dated 2 February 2020, and the plans submitted with it, 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:2019/01/01/307WG

Main Issues

2. The main issues are:
 - the effect of the development on the safety and convenience of highway users; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Highway Safety

3. Westbourne Grove is a one-way classified road with residential properties on both sides. The road is lined with a mixture of open and enclosed front gardens with a number of properties benefitting from off street parking.
4. The appeal site benefits from an existing crossover which provides access to forecourt parking. The proposal would result in the existing crossover being widened to a total width of 4.8m which the parties agree is an acceptable width, having regard to the Vehicle Crossing Policy & Application Guidance 2014 (VCP). I am not aware of the status of this document and whether it has been the subject of public consultation with formal adoption as planning policy

or a supplementary planning document. I therefore place limited weight on its content, but it is a material consideration in this appeal.

5. The proposal would provide for improved access to the existing parking area, enabling two cars to enter and exit the site independently. However, the size of the parking area does not meet the size requirements of the VCP, which seeks to ensure that there is a sufficient internal turning space to allow a vehicle to enter and leave in a forward gear. I acknowledge that the vehicle crossing guidance is provided in the interests of highway safety but I have had regard to it while also taking account of the particular circumstances that exist in this case.
6. Due to its limited size, vehicles accessing the parking spaces would either need to reverse into or out of the space, which is similar to a number of other properties within Westbourne Grove. Due to the overall width of the road, and its one-way designation, inter-visibility between drivers manoeuvring to and from the site and both drivers and pedestrians approaching along the highway is likely to be good.
7. In addition, given the number of other similar parking arrangements along Westbourne Grove, the vehicular movements associated with accessing and exiting the parking area would not be unusual or unexpected. Therefore, it is likely that the potential for conflicting movements can be anticipated well ahead by all parties and collisions avoided.
8. I conclude that the development does not have an unacceptable impact on the safety and convenience of highway users. Thus, it accords with Policy CP3 of the Southend-on-Sea Core Strategy 2007 (CS), which requires development to improve road safety, quality of life and equality of access for all. It would also accord with policy DM3 and DM15 of the Southend-on-Sea Borough Council Local Planning Framework, Development Management Document 2015 (DMD) which prevents development that would result in undue stress on local infrastructure and requires safe and secure layouts that minimise conflicts with traffic.

Character and appearance

9. The proposed crossover would result in the loss of a planted verge which is located to the front of the site. The verge contains a mixture of shrubs and bushes and there are several other similar verges, interspersed with crossovers, along Westbourne Grove and they are a feature of the street scene.
10. Paragraph 173 of the Southend-on-Sea Design and Townscape Guide 2009 (DG), states that new crossings should not result in the loss of street trees or planted verges unless they can be replanted within the vicinity. However, the VCP which was published after the DG, states that proposals must not result in the removal of a length of verge greater than the width of the crossover, and the parties agree that the proposal complies with this requirement.
11. The section of verge to be removed is relatively small when compared to the extent of the other verges along Westbourne Grove. Whilst the verges play an important role in softening the appearance of the road, I consider in this instance its contribution to the character and appearance of the road is limited as it does not contain a street tree, unlike a number of the other verges along the road. A small section of verge will also remain, which will provide a break

between the wide crossover of the neighbouring property. Therefore the proposal would maintain the character of the area and would not be detrimental to the overall appearance of the street scene.

12. With regard to the concerns regarding the loss of habitat for wildlife, I am content that sufficient remaining verges along Westbourne Grove exist to provide habitats and foraging opportunities for nesting birds, such that the loss of this small section would not be detrimental to the overall provision.
13. In conclusion, the loss of the verge would not cause unacceptable harm, in terms of the effect on the character and appearance of the area. The proposal accords with policies KP2 and CP4 of the CS and DM3 and DM15 of the DMD, which together seek to maintain and enhance the appeal and character of residential areas, improve the quality of the environment and ensure that development contributes to the street scene.

Conditions

14. The Council has suggested conditions which I have considered against the advice in the National Planning Policy Framework and Planning Practice Guidance. As well as the standard implementation condition, I have imposed a condition to ensure that the proposal is built in accordance with the approved plans to provide certainty.
15. The condition suggested by the Council requiring the external surfaces of the development to match the existing building is not necessary in this instance as the materials used for the access will differ from those on the existing dwelling.

Conclusion

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

G. Pannell

INSPECTOR