The Planning Inspectorate

Appeal Decision

Site visit made on 9 December 2020

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021.

Appeal Ref: APP/A2280/D/20/3259848
32 Carlton Crescent, Chatham, Kent, ME5 7PJ

- 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 Miss Leonie Kenknight against the decision of Medway Council.
- The application Ref MC/20/0971, dated 1 July 2020, was refused by notice dated 21 August 2020.
- The development proposed is to widen driveway to front and provide a level surface including moving the access steps to the dwelling.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on highway safety, highway efficiency and the living conditions of local residents due to increased demand for on-street parking.

Reasons

3. Carlton Crescent is a residential cul-de-sac that is situated on steeply rising ground. Many of the dwellings are set above or below the level of the road and have steeply sloping driveways. Whilst most driveways can accommodate several tandem parked cars, due to their narrow width and steep incline, accessing and exiting the on-site parking spaces is likely difficult and unattractive for residents and their visitors.

4. This was reflected at the time of my site visit when there were few on-street parking spaces available. Cars were parked straddling the pavement on both sides of the road, whilst there were few cars parked in the driveways within the northern section of Carlton Crescent. I also noted that some residents have replaced their driveways, or part of their front gardens with single garages and parking spaces, which have been cut into the slopes within the front gardens.

5. Policy BNE2 of the Medway Local Plan 2003 (LP) requires new development to provide good living conditions for future occupiers and existing residents, in relation to activity levels and traffic generation. Policy T13 of the LP states that development proposals are expected to comply with the Council's parking standards. The council has advised that for the appeal property this is two car parking spaces.

6. Paragraph 127f of the National Planning Policy Framework (the Framework), states that developments should create safe places, that are inclusive, accessible and which promote health and wellbeing, with a high standard of amenity for existing and future residents. Paragraph 109 of the Framework states that applications should only be refused on highway grounds if there would be an unacceptable impact on highway safety.

7. The existing narrow driveway that serves the appeal property slopes up steeply from the highway and projects through to the rear of the dwelling. The most level part of the driveway is sandwiched between the appeal dwelling and the adjacent dwelling at 33 Carlton Crescent. This area may be too narrow for someone to exit a large car. However, at the time of my site visit there was a comparatively small car parked there, with sufficient space on one side to open the driver's door. The existing driveway as a whole has the capacity to accommodate at least three tandem parked cars, which exceeds the Council's minimum parking requirement for 2 parking spaces.

8. Currently the appeal property has a tiered hard surfaced area to the front of the dwelling which is separated from the existing driveway by steps leading up to the front door. With the proposal the steps would be moved into part of the tiered garden area and the existing driveway would be widened and cut into the slope of the land. This would prevent vehicular access to the remainder of the driveway, resulting in the provision of just one parking space to serve the dwelling.

9. The proposed parking space would be easy to access, which would encourage its use and it would not result in the loss of any on-street parking spaces. However, one space would be unlikely to meet the parking requirements of both the current and future occupants of the dwelling and their visitors.

10. I acknowledge that, due to its incline and width, the existing driveway is not particularly attractive to use and creates its own safety issues. However, as evidenced during my site visit, the driveway is used for parking and to reduce the number of parking spaces available would be highly likely to place more pressure on the demand for on-street parking. This would result in additional congestion, caused by parked cars which restrict the width of the highway and drivers trying to find on-street parking spaces.

11. The situation is not helped by the fact that Carlton Crescent is a cul-de-sac and so drivers have to retrace their movements when unable to find parking spaces. In addition, at the time of my site visit parts of the pavement were blocked by parked cars, resulting in pedestrians walking in the road, rather than on the pavement.

12. For these reasons, I find that to reduce the number of on-site parking spaces would have an unacceptable effect on pedestrian and highway safety, highway efficiency and the living conditions of local residents. These concerns would materially outweigh the safety and other issues associated with the use of the existing driveway. Further, they are not something that could be satisfactorily dealt with by the imposition of conditions.

13. I acknowledge that the appellant could choose not to use the existing driveway, which similarly would add to congestion, the demand for on-street parking and the living conditions of local residents. However, personal choice is not a good

reason to reduce the availability of off-street parking and add to congestion in an area where there is already intense pressure for on-street parking.

14. Regarding personal circumstances, I note that the appellant's agent has stated that the appellant is reaching the point when she will not be able to use the driveway for parking. No reasons for this have been given and so I can give little weight to it.

15. I acknowledge that a number of single car parking spaces and garages have been constructed to the front of dwellings on the southwest side of Carlton Crescent, preventing the provision of more on-site spaces. No details are provided regarding their planning history and the impact they have had on the demand for on-street parking. It is also noted that the appellant understands that the owners/occupiers of 41, 42, 43 Carlton Crescent are looking to provide on-site parking to the front of their properties. Again, no details have been provided and there is no certainty that this will happen. For these reasons, these factors are not material to my consideration of the appeal scheme, which has been assessed on its individual merits and in accordance with the prevailing planning policies.

16. I conclude on the main issue that the proposal would have an unacceptable impact on highway safety, highway efficiency and the living conditions of local residents. The proposal would therefore conflict with LP Policies BNE2 and T13, as well as paragraphs 109 and 127F of the Framework.

Elizabeth Lawrence

INSPECTOR