

Appeal Decision

Site visit made on 23 November 2020

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021

Appeal Ref: APP/D1590/D/20/3253023

223 Southbourne Grove, Westcliff-on-Sea, Essex SS0 0AN

- 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 A Watson against the decision of Southend-on-Sea Borough Council.
 - The application Ref 20/00278/FULH, dated 11 February 2020, was refused by notice dated 27 April 2020.
 - The development proposed is a new vehicle crossing onto Southbourne Grove.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on highway safety and the operation of the highway network.

Reasons

3. The proposal would result in the front garden of this property being used for the parking of a vehicle. Turning within the site would not be possible. Given that the road is a one way street and the access would be at one end of the garden, it is likely that a driver would drive in forwards and reverse out.
 4. The property has an open frontage and given the size of the existing paved front garden, a car would have to be parked parallel to the pavement. The presence of a driveway serving the neighbouring property and the lack of a boundary of significant height between them, would ensure that a driver would have a good view of any approaching pedestrians when reversing and pedestrians would similarly be aware of movements within the parking area. This relationship would not result in any significant increase in harm with regard to pedestrian safety.
 5. Given the adjacent driveway, a driver could reverse out into the road close to the kerb, across the neighbouring drive entrance and in front of the parking space to the south, before manoeuvring into the main carriageway. This would not result in any greater impact on highway safety than existing manoeuvres relating to the on-street parking bays. Given the limited space however, there is also the potential for a driver to reverse into the main carriageway and the
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- oncoming traffic. Inter-visibility between the reversing driver and on-coming vehicles would be obscured to some extent by a vehicle parked in the parking space to the south, particularly if it was a larger vehicle.
6. This appears to be a relatively busy road although I found that at this point, vehicles were either queuing for the traffic lights or slowing down to approach them if there was no queue. I appreciate that at quiet times, drivers may have a clear route ahead and at these times, there may be a greater potential for higher vehicle speeds. Although I appreciate that there is a neighbouring driveway which may offer lower inter-visibility with on-coming vehicles, I consider that this additional vehicle manoeuvre, which would almost inevitably be in reverse gear due to the layout of the parking space, would add to highway safety concerns given these particular circumstances.
 7. Given the angle of approach required to access the parking area and the potential to share part of the neighbouring crossing, I am not certain that the parking space to the north would need to be significantly reduced in size. However, the plan provided is a sketch and does not clearly demonstrate that the parking space could be retained. The potential for the loss of the on-street parking space weighs against the proposal.
 8. Given the number of other access points; the presence of on-street parking; and the traffic light controlled junction nearby, the access would not unacceptably reduce the free flow of traffic. I do however find that the proposal would add to highway safety concerns and without more detailed plans, I am not satisfied that the on-street parking space would not be lost.
 9. The Council have made reference to Policy CP3 of the Core Strategy 2007, which seeks improvements to the transport infrastructure and services to achieve a modern integrated transport system necessary to unlock key development sites and secure a sustainable jobs led regeneration and growth. It seeks to achieve these objectives by measures including improving the road network including traffic flows; and by improving road safety. Although I find some conflict with the road safety element, I am not satisfied that this policy is directly relevant to this proposal.
 10. Policy DM15 of the Development Management Document (2015) supports sustainable transport management to support economic growth, reduce carbon emissions, promote equality of opportunity and to improve quality of life and health. Part 5 of the policy advises that all development should meet the parking standards set out in Appendix 6. Policy DM3 seeks the efficient and effective use of land particularly in relation to specific development types. I do not find these policies to be directly relevant.
 11. The Council's Supplementary Planning Document 'Southend-on-Sea Design and Townscape Guide 2009' (SPD) does require that forecourt parking on a classified road such as this, includes a turning facility or an 'in and out' drive for safety reasons. There would be clear conflict with this requirement. The SPD is consistent with the design requirements of the *National Planning Policy Framework* and can be afforded considerable weight.
 12. The Council refer to their document 'Vehicle Crossing Policy and Application Guidance' (2014). This sets out the need for parking spaces to be 8m by 8m when associated with a classified road to allow vehicles to turn within the site;

and other technical matters associated with the provision of dropped kerbs on highway land. This appears to be a highways department guidance document rather than a planning policy document. I have not been provided with any information as to whether it has been through appropriate stages of consultation or adoption. I am also not satisfied that it is entirely consistent with the Council's design policies or the Council's SPD. Although a material consideration, it can be afforded very limited weight in any planning assessment.

13. Overall, the proposal would increase harm with regard to highway safety and would conflict with the SPD. It would offer benefits with regard to the use of the dwelling as the already surfaced garden could be lawfully used as a private parking space. However, there is concern that an on-street parking space may be lost and the information provided is not detailed enough to demonstrate that this would not be the case. In any event however, I am not satisfied that the benefits of the proposal would be sufficient to outweigh the greater highway safety concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR