
Appeal Decision

Site visit made on 11 January 2021

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2021

Appeal Ref: APP/P0119/W/20/3261052

37 Sixth Avenue, Filton BS7 0LT

- 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 Mick Ward against the decision of South Gloucestershire Council.
 - The application Ref P20/01834/F, dated 29 January 2020, was refused by notice dated 23 April 2020.
 - The development proposed is for the erection of 1no. attached dwelling with access and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on parking provision and highway safety.

Reasons

3. The proposal is for a new dwelling to be attached to the end-of-terrace property at No 37 Sixth Avenue. In terms of parking provision, the proposed dwelling would have spaces to its frontage, with access immediately off the end of this cul-de-sac. However, the area where the proposed dwelling and its parking would be is currently available for the parking of vehicles in association with the host dwelling No 37.
4. The displaced parking for No 37 would be transferred to an area to the rear of this property, which is essentially the end of a rear private lane. There would be a gate access to the rear garden of No 37. This rear lane is gated, although I understand that those properties on Sixth Avenue that back onto this lane have a key to provide access. There is some garaging that access onto this lane, although I saw little evidence that the lane is used much for parking of vehicles. It is not clear whether the garaging is used much for parking. Whilst this lane may have historically been used for parking it does not appear that this is a common function of the lane currently, with on-street or frontage parking on sixth avenue being more evident.
5. There is no reason for me to doubt that the occupants of No 37 would have vehicular access to this lane for parking in one of the two spaces proposed to the rear of this property. However, whilst there may be some security

advantages with parking in this lane it would not be convenient, to the extent that such spaces would likely be under-utilised in favour of on-street parking. This is due, in part, to the fact that there is a gate to the lane. It may be more likely that occupants of No 37 would use the spaces overnight or when parking for longer periods, but the arrangement would still likely result in increased on-street parking at many other times.

6. Furthermore, the lane is narrow to the extent that it would be difficult to turn a vehicle and it would not be desirable to have to reverse much or all of the length of the lane to get access to the spaces or exit onto Sixth Avenue. There has been a plan submitted which does indicate some turning space, however this area still appears tight to be able to turn with reasonable ease. There is also the issue that as this is a shared private lane it may be that other properties put items in the lane in this area which would be an obstruction and further restrict turning space. There is not the evidence before me to suggest that this turning space would remain free from obstruction, as a result of other Sixth Avenue neighbours who have access and a right to use this lane.
7. The result of this would likely be an increase of on-street parking pressure within the cul-de-sac of Sixth Avenue. At the time of my site visit I could see that there was scarce availability of parking spaces, which could be even less at other times of the day. There is no substantive evidence before me to suggest that Sixth Avenue does not have an issue with high levels of on-street parking. Indeed, issues of parking congestion has been raised by interested parties. In such circumstances this would increase the likelihood of inconsiderate parking, or parking in the turning space at the end of this street which the site is adjacent to. This may not always be the case but less spaces being available would increase the problems of finding convenient on-street parking near to properties and this may lead to people within the street parking in ways that could become an obstacle and a potential highway hazard. This could have adverse implications on highway safety levels.
8. Any on-street parking generated by the proposed development would be a relatively small amount, but this would be additional onto what already appears to be a high level of on-street parking. Furthermore, whilst this is an accessible location with cycle parking to be provided, there is no substantive evidence for me to conclude that the occupants of No 37 would not have a car(s) in the future. Indeed, the amount of cars I observed in Sixth Avenue would suggest that most properties in this street have a vehicle, if not more than one.
9. For these reasons I conclude that the proposed development would not provide appropriate parking provision to the detriment of highway safety. The suggested conditions from the parties do not overcome this issue. For these reasons I conclude that the proposal would be contrary to policies CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017. These policies require development to provide parking that does not compromise highway safety whilst providing sufficient levels of parking provision.
10. Furthermore, the proposal would not accord with the National Planning Policy Framework in terms of its proposed parking provision as it would result in an unacceptable impact on highway safety.

Other Matters

11. The proposal would result in a new dwelling towards local housing supply in an accessible location. However, there is a potential adverse impact to highway safety which would significantly and demonstrably outweigh such benefits.

Conclusion

12. For the reasons given above and considering all matters raised the appeal is dismissed.

Steven Rennie

INSPECTOR