



Appeal Decision

Site Visit made on 26 July 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th August 2021

Appeal Ref: APP/W1525/W/21/3273857

41 Broomfield Road, Chelmsford, CM1 1SY

- 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 Goodleigh Dental Practice against the decision of Chelmsford City Council.
 - The application Ref 20/01608/FUL, dated 6 October 2020, was refused by notice dated 3 February 2021.
 - The development proposed is described as formation of access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government released a revised National Planning Policy Framework in July 2021. The main parties were invited to comment on the revised document.
3. I have taken the description of development from the appeal form as it is the most precise description of the appeal proposal.

Main Issues

4. The main issues are the effect of the proposed development on highway safety and the effect on on-street parking.

Reasons

5. The development would provide access for parking on the forecourt of the dentists' surgery. The forecourt is relatively shallow, and cars are only able to park parallel to the street, unlike the deeper forecourts on the opposite side of the road where cars can park perpendicular to the street. Parking of two cars in this manner is likely to result in the need to reverse into or out of the spaces and manoeuvring across the pavement and into the road, with restricted visibility due to the forward projection of No 39 beyond the front wall of No 41. Such an arrangement would result in an unsafe environment for pedestrians and road users even with vehicles moving at slow speeds.
6. The proposed access would result in the loss of on-street parking in front of the surgery. Given the width of the proposed access, the on-street parking capacity would be reduced by two spaces. The surgery forecourt is not wide enough to accommodate two spaces of the size sought in the Essex Parking Standards, and the forecourt parking is in any case likely to only be available to patients of the surgery. The development would therefore result in an overall loss of parking in Broomfield Road.

7. The appeal proposal would therefore result in the creation of an unsafe access to the highway and the loss of on-street parking. It would be contrary to Policy DM27 of the Chelmsford Local Plan 2020 which requires new parking to have regard to the Essex Parking Standards.

Conclusion

8. There are no material considerations that indicate that the appeal should be determined otherwise than in accordance with the development plan. Accordingly, for the reasons set out above, the appeal fails.

M Chalk

INSPECTOR