



Appeal Decision

Site visit made on 14 December 2021

by Oliver Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd December 2021

Appeal Ref: APP/N1160/D/21/3282944

276 Southway Drive, Plymouth, PL6 6QL

- 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 Adam Hill against the decision of Plymouth City Council.
 - The application Ref 21/01101/FUL, dated 14 June 2021, was refused by notice dated 11 August 2021.
 - The development is proposed dropped kerb and off street car parking for 1no. vehicle
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the highway safety of Southway Drive.

Reasons

3. The proposed access is close to a mini-roundabout, a pedestrian crossing and refuge island. Nearby there is another pedestrian crossing serving a shopping centre, as well bus stops including one within the carriageway. There are street trees in the verge, with one tree immediately adjacent to the proposed access.
4. It is not disputed that there is no on-site turning available and that use of the access and hardstanding would require a reversing manoeuvre, either to enter or leave the proposed parking space. Although not included in the reasons for refusal, both parties have referred to the Plymouth and South West Devon Supplementary Planning Document (2020) (SPD). This states that, depending on the nature of the road in terms of the volume and speed of traffic travelling along it, a new access without on-site turning provision may be acceptable and each case will be considered on its own merits.
5. In terms of volume, Southway Drive is described by the appellant as well-trafficked and I agree with this description. Although my lunchtime visit only provided a snapshot in time, I found the location to be busy with vehicular and pedestrian traffic including to the shopping centre and nearby supermarket.
6. The appellant says that vehicle speeds are low because of the proximity of the roundabout and that use of the access serving a single space would be infrequent. Even so, the busy nature of the road here, together with the multiple distractions to drivers from the roundabout, refuge island, pedestrian crossings and bus stops, would make it difficult for vehicles to enter and leave the access safely.

7. In respect of the street tree, the appellant argues that the tree's width and form would not fully obscure a vehicle or pedestrian with no significant impact on road safety, referring to Manual for Streets guidance. Construction measures are proposed to protect the tree's health. Even if these are successful and the tree is not harmed, the presence of the tree would add to the number of factors for users of the access to take into account when manoeuvring, and I consider that due to its proximity to the proposed access the tree would impede the visibility available to drivers leaving the access.
8. Taking all these factors together, I therefore find that the proposed access would give rise to a very real potential for conflict with other road users, including pedestrians. Furthermore, the manoeuvring on the highway necessary to use the access while avoiding the refuge island would inevitably interfere with the free flow of traffic using this part of Southway Drive.
9. I therefore consider that the proposed hardstanding and access would be harmful to the highway safety of Southway Drive. As such it be contrary to policies DEV1 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019), as well as the SPD and NPPF paragraph 110, all of which require proposals to provide safe and satisfactory vehicular access for all users.
10. I recognise that the proposal would provide a parking space to serve the property, potentially reducing the parking pressure in nearby streets, said by the appellant to be heavily subscribed. I also appreciate that an electric charging point would be provided, and that the hardstanding would use porous materials. These factors do not overcome the harm I have identified, however.
11. Reference has been made to similar accesses along Southway Drive, but I have no details of their history and I note that the Council state that some of them may not have planning permission. In any case, their position is different from the proposed access, which I have considered on its own merits.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Oliver Marigold

INSPECTOR