



Appeal Decision

Site visit made on 8 February 2022

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th February 2022

Appeal Ref: APP/L3625/D/21/3278195

Grantleigh, 17 Wray Lane, Reigate RH2 0HS

- 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 Martin Swann against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/00402/HHOLD, dated 17 February 2021, was refused by notice dated 6 May 2021.
 - The development proposed is to form a double parking bay in the front garden.
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Decision

1. The appeal is allowed and planning permission is granted for a double parking bay in the front garden at Grantleigh, 17 Wray Lane, Reigate RH2 0HS in accordance with the terms of the application, Ref 21/00402/HHOLD, dated 17 February 2021, subject to the conditions in the attached schedule.

Preliminary Matters

2. A revised Framework¹ was published by the Government between the determination of the planning application and the appeal coming before me. It does not raise any new considerations in relation to this appeal.
3. The Council has not objected to the appearance of the works. Based on the evidence before me I have no reason to disagree.

Main Issue

4. The main issue is the effect of the proposed development on highway safety.

Reasons

5. The Council's main concern is that the existing driveway serving the dwelling and the new parking area would result in a single, extended crossover. It is suggested that the length of the resulting dropped kerb could lead to conditions which could be detrimental to pedestrian safety and that of other highway users. Although the officer report does not elaborate as to what these conditions may be or how this would result in a highway safety concern, the crossfall created by the works could potentially cause problems for pedestrians, particularly those with prams etc or with mobility issues, particularly given the width of the footway at this point.
6. However, there are only four houses beyond the appeal site to the north before the contiguous built form on to Wray Lane ceases and the footpath terminates.

¹ National Planning Policy Framework (2021)

Although there are dwellings further along Wray Lane to the north, the lack of any footpath serving those dwellings and the width of the road would make walking this route an unattractive option for most people. Thus, the likely pedestrian footfall in front of the appeal site is likely to be very low, especially given that Wray Common appears to be the most likely destination for anyone travelling on foot at this point. On this basis the works would not be likely to dissuade people from walking or use less sustainable alternative forms of transport to complete their journeys.

7. The resultant dropped kerb would be of similar length to the combined dropped kerb of 21 and 23 Wray Lane, just to the north of the site. Similarly, the proposal would not appear to impede the flow of traffic on the highway or cause congestion. The height of the retaining walls reduces towards the front of the site, enabling pedestrians to see if a vehicle were moving out of the space as they approach the site. It seems likely that cars moving into and out of the spaces would be doing so at relatively low speeds and given that the parking serves a single dwelling, the number of movements each day is unlikely to be excessive.
8. Therefore, having regard to the particular circumstances of this site, I find that the proposal would be unlikely to cause highway safety issues. As such, it would accord with Policy TAP1 of the Local Plan and Paragraphs 104 and 111 of the Framework which, amongst other things, seek to ensure new development avoids unacceptable impact on highway safety and avoids increasing travel by less sustainable modes of transport. In these respects, the proposal would also accord with the broad objectives of the Surrey Local Transport Plan.

Conditions

9. In addition to the standard time limit condition, a condition is required in the interests of certainty that lists the approved plans.
10. It is also necessary that the development is implemented in full prior to first use in order to avoid inconvenience to other users of the highway or prejudice safety.

Conclusion

11. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Stewart Glassar

INSPECTOR

Schedule of Conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed below:
Existing Views & Site Location Plan - 2012-17WrayLane-01 Rev P2
Proposed Views & Block Plan - 2012-17WrayLane-02 Rev P2
- 3) The development hereby permitted shall not be first used unless and until the proposed access has been provided in accordance with the approved plan 2012-17WrayLane-02 Rev P2 and thereafter it shall be permanently retained.
- 4) The development hereby permitted shall not be first used unless and until the space for vehicles to be parked has been laid out within the site in accordance with the approved plan 2012-17WrayLane-02 Rev P2. Thereafter the parking area shall be retained for such purposes.