



Appeal Decision

Site visit made on 21 February 2022

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th March 2022

Appeal Ref: APP/X0415/D/21/3287637

144 Abercromby Avenue, High Wycombe, HP12 3BJ

- 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 Mrs Sabina Akhtar against the decision of Buckinghamshire Council.
 - The application Ref 21/07444/FUL, dated 9 August 2021, was refused by notice dated 22 November 2021.
 - The development proposed is described as "Drop kerb in front of our house. Drop kerb 575cm."
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In the interests of clarity, in the banner heading above I have referred to the description of the proposal given by the appellant on the appeal form as this gives a clear description of the type of development proposed.

Main Issues

3. The main issues are the effect of the proposed development upon highway safety and the character and appearance of the area.

Reasons

Highway safety

4. The appeal property is one of a pair of semi-detached houses in a mainly residential area, although there is a small industrial estate adjacent to the appeal property and its adjoining neighbour. Most houses within the street are semi-detached and set back from the pavement edge behind shallow front gardens with low boundary walls. Parking is predominantly along the roadside, but some properties have off street parking to their side, between houses.
5. The garden areas to the front of the appeal property and adjoining neighbour are paved with no boundary wall between them and the pavement. The proposed development is to provide a dropped kerb the full length of the appeal property frontage to allow parallel parking in front of the house.
6. The Buckinghamshire Countywide Parking Guidance (September 2015) sets a minimum parking bay size of 6m x 3m for parallel parking, and parking with a wall on one side. This is partly to ensure that vehicle doors can be fully opened.

A ground floor bay window at the front of the house limits the parking bay width that can be achieved to below the 3m minimum required. The minimum length is also not possible to achieve as the overall frontage, according to the plans, is 5.75m and some of that is taken up by a footpath between the house and pavement. Consequently, it would be difficult to parallel park vehicles without driving across the neighbour's frontage whilst manoeuvring into the space, or without multipoint turns crossing the pavement. Even when stationary it is likely that parked vehicles would encroach on the pavement. As a result, parked vehicles and those manoeuvring into the proposed space would lead to conflict between vehicles and pedestrians and harm to pedestrian safety.

7. The proposed dropped kerb would lead to the loss of 1 on-street parking space. There were few available parking spaces along the road in the morning when I visited, and parking demand would not have been at its highest at that time. At other times of the day, I expect there would be more pressure for parking. Insufficient on street parking can lead to traffic movements being interrupted as drivers search for suitable spaces or park where it impedes other vehicles, particularly on a narrow road such as Abercromby Avenue. There would also be potential for conflict with larger vehicles entering and leaving the adjacent industrial premises. I therefore share the Council's concern that the loss of an on-street parking space, and the inadequacy of the proposed off-street space, could adversely impact on highway safety.
8. I therefore conclude on this main issue that the proposed development would harm highway and pedestrian safety and therefore conflict with Policies CP9 and DM33 of the Wycombe District Local Plan (2019) (WDLP) which require development to encourage sustainable transport and improve the way an area functions.

Character and appearance

9. Front gardens behind low boundary walls are a key characteristic of the street scene. Off-street parking is not common and is restricted to the gaps between houses leaving front garden areas unaffected. Whilst the front of several properties, including the appeal site and adjoining neighbour, were paved, and had no front boundary wall, they did not appear to be used for parking. Off street parking to the front of the property would therefore be out of character with the area. Also, I have found that the limited space at the site would lead to encroachment of vehicles on to the public footway which would further harm the appearance of the area.
10. I therefore conclude on this main issue that the proposed development would conflict with Policies CP9 and DM35 of the WDLP which require development to improve the character and quality of an area.

Other matters

11. I have had regard to a neighbour's supporting comments and to health matters raised by the appellant in support of the application. Whilst I have given careful consideration to the health issues raised, I am mindful of the advice contained in Planning Practice Guidance that in general planning is concerned with land use in the public interest and that personal circumstances seldom outweigh such considerations.

Conclusion

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

P D Sedgwick

INSPECTOR