



Appeal Decision

Site visit made on 4 May 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 MAY 2022

Appeal Ref: APP/L3625/W/21/3285246

The Old School House, 4 Effingham Road, Reigate RH2 7JN

- 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 Ian Read against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/01744/F, dated 13 July 2021, was refused by notice dated 7 September 2021.
 - The development proposed is described as the extension of the dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for the extension of the dropped kerb at The Old School House, 4 Effingham Road, Reigate RH2 7JN in accordance with the terms of the application, Ref 21/01744/F, dated 13 July 2021 and the plans submitted with it, subject to the following 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 following approved plans: Location Plan and Proposed Site Layout Plan.

Application for costs

2. An application for costs was made by Mr Ian Read against Reigate and Banstead Borough Council. This application is the subject of a separate decision.

Main Issue

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

Reasons

4. The Old School House is a single storey building in commercial use. The submitted plans indicate that the appeal site benefits from five off street parking spaces. Two of these spaces are adjacent to Effingham Road and the remaining three are to the rear of The Old School House accessed from Lesbourne Road. Within the wider area shops, businesses and residential uses can be found.
5. Currently the dropped kerb extends approximately halfway along the width of the two off street parking spaces adjacent to Effingham Road. These parking spaces have a tandem arrangement insofar as the southern space requires the northern space to be vacant to enter/exit across the existing dropped kerb.

6. The proposed development would extend the dropped kerb across the full width of the two parking spaces adjacent to Effingham Road. This would enable both parking spaces to be used independently of one another. However, by extending this dropped kerb, on street parking for approximately one vehicle would be lost on Effingham Road.
7. While only a snapshot in time on a weekday afternoon, I noted during my site visit that Effingham Road had limited opportunities for parking. As I walked around the adjoining roads and wider area, I noted that parking pressures elsewhere while high were not as significant as Effingham Road.
8. The appellant provided a parking survey with the planning application and evidence has been submitted showing me that the main parties agreed on the methodology of the survey prior to any work being undertaken. I have not been made aware, by either main party, that the parking survey is deficient regarding its methodology or data it presents.
9. Even if I take the lowest figure from the parking capacity surveys, this still shows over 100 available parking spaces within the agreed survey area. This shows that considerable parking is available within the survey area. While Effingham Road may have high parking demand in isolation, the wider area can accommodate any modest impacts from the loss of one parking space.
10. The Council is also concerned about indiscriminate and dangerous parking occurring, however, I have not been provided with evidence to convince me that this would occur through the loss of one space in the context of available parking within the agreed survey area. While it is desirable for drivers to park as close as possible to their destination, this isn't always guaranteed in urban areas. This therefore has limited bearing on my main findings.
11. I also accept that it can be problematic for disabled drivers who are unable to park near their home. However, such matters are usually dealt with under the provision of reserved disabled parking bays. There is limited evidence before me that the Council is unable to consider such applications.
12. The Council and interested parties consider the proposed development to be unnecessary given the parking area can already be accessed via the existing dropped kerb. However, as indicated above the current arrangement is inconvenient and I have found no harm in relation to this appeal. The absence of harm coupled with the proposed development improving access to the parking area weighs in favour of the appeal.
13. While concern about increased pollution and vehicular movements has been raised, I have not been advised as to how the proposal would increase pollution or vehicular movements. Particularly as the proposal does not increase the number of parking spaces. This has limited bearing on my findings.
14. It has not been demonstrated that the proposed development would have an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. The proposed development would therefore not conflict with the relevant provisions of Policy TAP1 of the DMP which, amongst other things, seek to ensure proposals are not prejudicial to highway safety.
15. The Council cite the National Planning Policy Framework (the Framework) in their reason for refusal, however, I have not been made aware of which

paragraphs of the Framework they consider are relevant to the proposed development. This therefore has limited bearing on my main findings.

Conditions

16. In the interests of certainty, a condition is necessary specifying the approved plans.

Conclusion

17. For the above reasons, having regard to the development plan as a whole and all other relevant material considerations, the appeal should succeed subject to the conditions above.

N Praine

INSPECTOR