
Appeal Decision

Site visit made on 6 January 2023

by S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 27 th January 2023

Appeal Ref: APP/J1915/W/22/3300441

105 and 107 Station Road, Puckeridge SG11 1TF

- 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 Yiangou against the decision of East Herts District Council.
 - The application Ref: 3/22/0158/HH, dated 24 January 2022, was refused by notice dated 19 May 2022.
 - The development proposed is the creation of a driveway with dropped kerb and electric charging point to 105 and 107 Station Road, Puckeridge, Ware Hertfordshire, SG11 1TF.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant describes the proposed development as *'between myself and our next door neighbours, we are looking for a joint application to have the kerb dropped, so that we can have a driveway built for both properties. I would like to purchase a small electric car and would require a charging port on my property, but currently with how the setup is along this road, I do not have the guarantee that I am able to get parked outside my house. I believe that if we have the joint application for the dropped kerb, it will give us plenty of room to manoeuvre a car such as VW e-Up. This will also allow me to charge my car, which I am keen to purchase, as I am looking at how I can be more environmentally friendly, as well as my neighbours doing the same. I am hoping East Herts Council will be willing to support this proposal and consider the environmental impact this will have'*.
3. The local planning authority (LPA) describes it as *'the creation of a driveway with dropped kerb and electric charging point to 105 And 107 Station Road Puckeridge, Ware, Hertfordshire, SG11 1TF'*. I have used the latter description in the banner heading as it more concisely describes the proposed development.
4. The application form gives the site address as No 107 Station Road and the location plan produced on 25 January 2022 also shows the red edge around

that property. However, a second location plan, with a production date of 9 March 2022, shows the red edge encompassing both No's 105 and 107 Station Road and the submitted site plans also show an area ostensibly for proposed parking in front of both properties. The LPA's decision notice refers to '*creation of driveway with dropped kerb and electric charging point to 105 and 107 Station Road, Puckeridge, Ware, Hertfordshire, SG11 1TF*'. I have therefore determined the appeal on the basis that the proposed development relates to both No's 105 and 107 Station Road, as is the case in respect of the Council's refusal notice.

Main Issue

5. The main issue is the effect of the proposal upon highway safety.

Reasons

6. No's 105 and 107 Station Road have private amenity spaces abutting the highway. The two properties are separated by a narrow privately owned passageway. The proposed development is for a dropped crossing to give access to the front amenity spaces of the two properties. The appellant states that this would enable him to park a car off the highway and also to include an electric charging point for his vehicle.
7. The appeal site encompasses the amenity spaces of both properties though the appeal proposal only refers to parking for one vehicle. The submitted plans do not show exactly where a vehicle might be parked within the appeal site, though the appellant gives details of the proposed parking space available in front of No 107 Station Road. In his appeal statement, he notes that '*we believe we have a strong case for our appeal and have measured the length of our driveway at 107 Station Road in two different positions, one to the front of our bay window line, and one to the right of our bay window to the boundary line. We have side access to our property which we use and will continue to use should we need to park to the right of the bay and of(sic) the car doesn't allow us to enter the property via the front entrances (which we do not believe will be the case). The measurements are: bay window to boundary line-4.3m. Right of bay window to boundary line - 4.85 m*'.
8. In the light of the above, and in the absence of any evidence to the contrary, I consider that it would be likely that the appellant would park his car in front of his property at No 107 Station Road, at right angles to the highway, rather than elsewhere within the appeal site.
9. The appellant considers it would be possible to park a vehicle to the right of the front bay window. On my site visit, I was able to see that the available width would be extremely limited, and I am not persuaded it would be sufficiently wide to allow parking without using the space in front of the bay window itself, and where the length is about 4.3 metres, according to the appellant.
10. Even if there was sufficient width to the right of the front bay window, a parked car would impede access to the property. Even though there is access via a side entrance, the overall effect would not constitute good planning.

11. The LPA's Parking Standards Document Supplementary Planning Document Annex C (SPD) requires a parking space at 90 degrees to the highway to have minimum dimensions of 4.8 metres by 2.4 metres. In the event that a vehicle would be parked in front of the bay window, a length of 4.8 metres would not be available, according to the appellant's submitted figures.
12. I appreciate that not all cars have a length of 4.8 metres and the appellant has referred to many models which have a lesser length. However, it cannot be guaranteed that future occupiers will always own small cars.
13. On the evidence before me, I find that there would be the likelihood of a parked vehicle overhanging the footpath. Any such overhanging would require pedestrians, including pedestrians with prams or wheelchairs, to leave the pavement into the road, and with the potential for conflict between vehicles and pedestrians. In addition, there would be possible difficulties and accidents for persons who are visually impaired. I give such considerations considerable weight in decision making terms.
14. I therefore conclude that the proposed development would be likely to result in unacceptable harm being caused to highway safety. It would be contrary to policy TRA2 of the East Herts District Plan (2018) and to paragraph 110(b) of chapter 9 of the National Planning Policy Framework (2021), both of which require development to be acceptable in terms of highway safety.

Other Matters

15. The use of the front amenity space for car parking would enable an electric charging point to be used at the property. This would assist with mitigating climate change. However, this matter does not outweigh the harm I have found regarding the main issue.

Conclusion

16. For the reasons outlined above, I conclude that the appeal should be dismissed.

S. Hartley

INSPECTOR