



Appeal Decision

Site visit made on 30 December 2022

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 1 February 2023

Appeal Ref: APP/B1930/D/22/3308605

1B Kinsbourne Close Harpenden AL5 3PB

- 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 K. Moutrie against the decision of St Albans City and District Council.
 - The application Ref: 5/21/2602 dated 17 September 2021, was refused by notice dated 19 July 2022.
 - The development proposed is dropped kerb to front of dwelling with parking spaces and hardstanding, closing of existing access and alterations to fencing and new gates.
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Decision

1. The appeal is allowed and planning permission is granted for dropped kerb to front of dwelling with parking spaces and hardstanding, closing of existing access and alterations to fencing and new gates at 1B Kinsbourne Close Harpenden AL5 3PB in accordance with the terms of the application Ref: 5/21/2602 dated 17 September 2021 and the plans submitted with it, subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: (ttp consulting ref:) 2021-4201-DWG-208 and (Lingwood design ref:) 173-2055K.
 - 3) Use of the existing spaces for the parking of vehicles shall cease upon first use of the spaces hereby permitted.

Preliminary Matters

2. The description of development appearing on the Council's decision notice differs from that appearing on the application. I have used the former as it more closely reflects the development appearing on the submitted plans.

Main Issue:

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

Reasons:

4. The appeal site (No.1B) lies at the junction of Kinsbourne Close with Derwent Road, which feeds the cul-de-sac¹. The proposal involves the relocation of two parking spaces which are currently directly accessed off Derwent Road to the

¹ Kinsbourne Close is a residential street which is closed at one end; a 'cul-de-sac'.

fore-garden of No.1B where this fronts Kinsbourne Close and curves into the remainder of the development which is comprised largely of 2 storey detached housing with garaging or frontage parking.

5. The appeal site falls within the area of the Harpenden Neighbourhood Plan (HNP) which was 'made' in May 2019, however no party has pointed to any policy of the HNP which addresses the main issue in this matter. I also note that the 'saved' policies 34 and 39 of the City and District of St. Albans Local Plan Review (LPR) which are comprised in the development plan are broadly directed at new traffic-generating development. The appealed proposal is for alteration to an existing provision of parking pursuant to an implemented residential development and on that basis it is the effect of the proposed change in parking arrangements to which I shall have regard.
6. Kinsbourne Close is a quiet residential suburban street comprised of around 29 dwellings. As a cul-de-sac there is no through traffic and, from the limited length of the street, the number of vehicle movements and vehicle speeds can be expected to be low. I note representations as to potential conflict with vehicles entering Kinsbourne Close. From my observations, the visibility available for users of the street and, particular, those emerging from the proposed parking spaces, will be no less than for users of the existing spaces which are more enclosed and more likely to encounter faster vehicles. In that regard I note the comments of neighbours as to the use of Derwent Road for on-street parking. Whilst it has been commented that vehicles entering Kinsbourne Close will have limited visibility, drivers of such vehicles can reasonably be expected to adjust their speed in the knowledge that they are entering a residential street where they may live or have other business.
7. A further factor is that the relocation of existing parking will release land used that could increase the limited private amenity space for No.1B, whereas the relatively open foregarden is not private. Its use for parking has no significant impact upon visual amenity of the host dwelling or the street as a whole.
8. I therefore conclude the proposal would not harm highway safety and would not conflict with Policies 34 and 39 of the LPR, nor with the development plan taken as a whole. In consequence, and taking all matters raised into account, the appeal should succeed subject to the usual timing and plans conditions and, in order to accord with the basis of my reasoning, a condition to ensure the use of the existing spaces is discontinued is necessary.

Andrew Boughton

INSPECTOR