



Appeal Decision

Site visit made on 20 February 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd March 2023

Appeal Ref: APP/A3655/W/22/3303464

41 High Street, Old Woking, Woking, GU22 9LW

- 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 Miss Kate Edwards against the decision of Woking Borough Council.
 - The application Ref PLAN/2022/0454, dated 11 May 2022, was refused by notice dated 11 July 2022.
 - The development proposed is a dropped kerb at front of property.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb at front of property at 41 High Street. Old Woking, Woking, GU22 9LW in accordance with the terms of the application Ref PLAN/2022/0454, dated 11 May 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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 1:1250 and Block Plan 1:200.

Procedural Matter

2. The description of the development given by the Council in its decision notice is different to that described by the appellant in both the planning application and appeal forms. Notwithstanding, I am satisfied that both descriptions essentially mean the same thing and I consider that the appellant's description is accurate.

Main Issue

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

Reasons

4. The appeal property is a semi-detached dwelling, which fronts a busy main road. At the time of my site visit, I observed significant vehicle and pedestrian movements in the vicinity of the site. I also noted that a number of properties (including the neighbouring houses) have parking spaces on their frontages, although not all have dropped kerbs. The Council states that these others do not have planning permission. In addition, I observed that vehicles were also

parked on the highway, some of which were partly on the pavements. At times, these vehicles caused an obstruction to other road users.

5. The proposal is to create an off-street parking space at the front of the dwelling. Although the area proposed for the parking space would accord with the guidelines contained in the Council's Supplementary Planning Document – Parking Standards, the Council contends that the movement of vehicles into and out of the parking space would result in a danger and inconvenience to pedestrians and other road users, due to the need to reverse into or out of the space. As a result, it would interfere with the free flow of traffic. Furthermore, it considers that the position of the proposed space would make vehicle manoeuvres difficult.
6. Policy CS18 of the Woking Core Strategy 2012 (which the Council refers to in its decision notice) does not specifically refer to situations that are comparable to the appeal proposal. However, paragraph 111 of the National Planning Policy Framework 2021 (The Framework) is a material consideration. This states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.
7. I accept that some of the existing off-street parking spaces along this stretch of the High Street may not have the benefit of planning permission. However, it appears that many have been in existence and in use for some time. Many of these spaces are comparable, in terms of their shape and size, to the appeal proposal. At my site visit, I observed some of these spaces being used and I saw no evidence that the vehicle manoeuvres caused any inconvenience or danger to other road users. Both pedestrians and other drivers appeared to be aware of vehicles accessing or entering these spaces and care was exercised.
8. Therefore, I am not persuaded that the proposal would have an unacceptable impact on highway safety. Consequently, the proposal would not conflict with the provisions of the Development Plan or with The Framework, as referred to above.

Conditions

9. The standard conditions relating to the time period for commencement and the listing of the approved plans are imposed. No other conditions are necessary.

Conclusion

10. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR