



Appeal Decision

Site visit made on 27 June 2023 by N Unwin BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th July 2023

Appeal Ref: APP/Z5630/D/23/3317109

25 Gibbon Road, Kingston upon Thames, Surrey KT2 6AD

- 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 Michael K T Woo against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref 22/02974/FUL, dated 11 October 2022, was refused by notice dated 6 December 2022.
 - The development proposed is for a dropped kerb to form new vehicle crossover to hardstanding.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposal on highway safety.

Reasons for the Recommendation

4. The appeal property forms part of a linear row of dwellings adjacent to but set back from Gibbon Road. A small front garden separates the front bay window of the appeal property from the highway, with a low wall along the boundary, similar to a number of properties in the vicinity. Gibbon Road is residential in character with off-street parking spaces along both sides. The proposed drop kerb would facilitate the use of the front garden as a parking space. Hardstanding would replace the garden area and the low front boundary wall would be removed.
5. The Sustainable Transport Supplementary Planning Document (2013) (SPD) provides guidance for car parking dimensions of 2.4 metres in width and 4.8 metres in length. While the SPD is guidance rather than development plan policy, it provides a useful benchmark. The submitted plans indicate a five metre distance between the front elevation of the appeal property and the highway. However, that does not account for the depth of the bay window and as such I am unable to determine whether the proposed parking area would meet the SPDs requirements.
6. Other properties along Gibbon Road have parking areas and vehicular accesses similar to that of the proposal. Whilst smaller vehicles were accommodated, a

number were overhanging the public footway. Given the depth of the proposed parking area, the average modern vehicle would likely overhang onto the public footway creating an obstruction. Any such obstruction would conceivably force pedestrians into the vehicular highway and into the path of oncoming vehicles. This might not be an issue for able walkers but would be unacceptable for the less mobile, disabled users and people with pushchairs or small children.

7. Whilst vehicle speeds and traffic volumes along Gibbon Road are likely to be commensurate with its residential character, the above circumstances would still unacceptably increase the likelihood of conflict between pedestrians and motorists.
8. The proposal would therefore have an unacceptable impact on highway safety. In this regard, it would accordingly conflict with Policies DM9 and DM10 of the Core Strategy (2012) which broadly requires new developments to, amongst other things, ensure highway safety is not adversely affected.

Other Matters

9. The proposed parking space may be beneficial through eliminating the need for the appellant crossing the street to access their vehicle. During my site visit I observed a number of on-street parking spaces along the length of pavement to which the appeal property adjoins. One such space, which was vacant at the time of my visit, adjoins the proposed vehicular access. As such, there appears ample existing opportunity for the appellant to park their vehicle without having to cross the street to access their property.
10. The appellant's intention to move to an electric vehicle is laudable and I recognise that an off-street parking space would be beneficial to facilitate charging. However, neither this nor the above benefits would be sufficient to outweigh the proposal's unacceptable impact on highway safety.
11. I have not been made aware of the full circumstances of other examples of similar parking arrangements in the immediate area. It is unclear whether they benefit from express planning permission. In any event, they do not justify the harm I have found.

Conclusion and Recommendation

12. For the reasons, the appeal scheme would conflict with the development plan and there are no material considerations which would indicate to the contrary. I therefore recommend that the appeal should be dismissed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

John Morrison

INSPECTOR