
Appeal Decision

Site visit made on 27 July 2023

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2023

Appeal Ref: APP/P0119/D/23/3319637

77 High Street, Oldland Common, South Gloucestershire BS30 9QG

- 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 Ms Angela Moore against the decision of South Gloucestershire Council.
 - The application Ref P22/06798/F, dated 1 December 2022, was refused by notice dated 24 January 2023.
 - The development proposed is the creation of a vehicular access onto a classified highway (Class A)
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of development in the banner above from the Council's decision notice as it is more concise than that on the application form.

Main Issue

3. The main issue is the effect on pedestrian and highway safety.

Reasons

4. The appeal relates to the installation of a dropped kerb on a classified road, to allow the formation of a parking area to the front of the appellant's dwelling.
5. Given that the front garden of the appeal site is small, it is unable to accommodate a turning facility to allow a vehicle to enter and leave in a forward motion via the proposed dropped kerb. The proposal would therefore introduce the reverse manoeuvring of vehicles onto this classified road within a busy commercial area.
6. The appellant has indicated that visibility splays could be secured in both directions. However, on my site visit I observed that these were significantly obstructed by parked vehicles. Consequently, there would be limited visibility when pulling out of the site in the vicinity of parked cars, particularly in a reverse motion. Whilst the number of vehicle movements associated with the scheme would be limited, the proposal would still constitute a hazard to pedestrians, cyclists and other drivers and would therefore fail to safeguard pedestrian and highway safety.

7. I recognise that other properties on High Street benefit from vehicle accesses without turning facilities. However, the appeal site sits between two commercial properties in the centre of the village, where there is a concentration of vehicle and pedestrian activity and on-street parking. The properties which include such arrangements are generally located further away from the busy commercial area or include parking restrictions on the highway adjacent to them.
8. The appellant has submitted examples of similar proposals for vehicular accesses to dwellings in the wider area for which the Council has granted planning consent. Whilst I only have limited information before me in respect of those developments, it appears that they vary from the appeal site as they are located in a residential area, rather than a village centre. In any event, each proposal must be considered on its own merits.
9. The Council's reason for refusal states that the appellant's garden is too small to accommodate an adequate size parking space. Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017) (PSP) recommends that parking spaces within a residential curtilage should be a minimum of 5.5 metres in depth. It is unclear from the drawings submitted as part of the planning application whether this could be achieved. However, the appellant has submitted information as part of the appeal to demonstrate that this could be provided within the site. This would therefore meet the Council's policy requirement in this respect. Nonetheless, this does not outweigh my concerns that, overall, the formation of a vehicular access would have an unacceptable impact upon pedestrian and highway safety.
10. In conclusion, for the reasons described, the proposal would cause unacceptable harm to pedestrian and highway safety. The proposal is therefore contrary to Paragraphs 111 and 112 of the National Planning Policy Framework, Policy PSP11 of the PSP and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy 2006-2027 (2013). Taken together, these seek to ensure that proposals do not compromise pedestrian or highway safety.

Other Matters

11. I have considered several matters which the applicant has raised in support of the proposal. The off-street parking is required to facilitate the charging of an electric vehicle. I recognise the benefits that this would bring in terms of sustainability and preventing any potential hazard from cables on the footway if a vehicle were charging on the highway.
12. I note that the accident record for High Street is low, with only one collision having been recorded in recent years, involving vehicles. I also recognise that the proposal would discourage parking at the side of an A-road. Whilst it would remove the need for the appellant to park on the highway, given that on-street parking would be lost if the dropped kerb were constructed, this would be of limited benefit. None of these matters would be significant enough to overcome or outweigh my conclusions on the main issue.

Conclusion

13. The appeal is dismissed.

Rebecca McAndrew

INSPECTOR