



Appeal Decision

Site visit made on 15 August 2023

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 14 September 2023

Appeal Ref: APP/R3515/D/23/3320098
174 Woodbridge Road, Ipswich IP4 2PB

- 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 Dr Laiqa Mohiuddin against the decision of Ipswich Borough Council.
 - The application Ref IP/22/00710/FUL, dated 10 August 2022, was refused by notice dated 2 February 2023.
 - The development proposed is described as "to get consent for a dropped kerb so that vehicles can park in designated parking space at the back of the house".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I note that a revised plan 04A was submitted to the Council in the course of the determination of the planning application which sought to include visibility splays. My decision is based on the revised plan.

Main Issue

3. The main issue in this appeal is the effect of the development on highway safety.

Reasons

4. The appeal property, No 174 Woodbridge Road (No 174) is a large semi detached dwelling located close to the highway on the south side of Woodbridge Road behind a small tarmac frontage. Woodbridge Road is a classified road with single yellow lines on both sides in this location, which leads into Ipswich city centre. It is also a bus route with a bus stop located a short distance from the appeal property on the opposite side of the road. In contrast to the majority of properties along this part of the southern length of Woodbridge Road, No 174 and its neighbouring properties have gaps to the side of the dwelling. In the case of No 174, this is sited between its side elevation and the boundary fence with its neighbouring non-attached property. At the time of my visit, there was an intermittent flow of traffic on Woodbridge Road which was moving freely.
5. The proposed development would provide for a dropped kerb to enable access across the pavement for vehicles to be parked within the area to the rear of No

174. Recommendations within the Manual for Streets and Suffolk County Council's Dropped Kerb Accesses Criteria recommend visibility splays of 2.4 m x 43m and a minimum access width of 3 metres respectively. There is no dispute that these recommended visibility splays and minimum width cannot be met in this instance as they would extend over land which the appellant has no control over.
6. Whilst there are no details before me as to the manoeuvrability of vehicle movements within the site, I observed on site that the area to the rear of No 174 is large and I would agree with the appellant's agent that there would be sufficient space within the site to accommodate an area, suitably surfaced, for the parking of vehicles and for them to reverse within the site and leave in a forward gear. It would be possible to secure the provision of a parking/ manoeuvrability scheme within the site by condition. At the time of my site visit, visibility along both directions of Woodbridge Road was good and it was possible to readily see approaching vehicles from either direction. I am mindful however that my visit took place at a time when parking restrictions prevented on street parking. As such there is no assurance that these views would be maintained at all times or that they would not be obstructed by vehicles parked on Woodbridge Road. Accordingly, I am not convinced that the visibility splays as proposed would be enough to ensure that there would be acceptable visibility at all times, sufficient to ensure highway safety.
7. Access to and from the appeal site would be via the gap to the side of the dwelling, which would be one metre less than the dimensions considered necessary by the Council for a suitable access. Photographs have been submitted showing a reasonably sized car parked at the front of the access of No 172. This access is marginally wider than that at No 174. The appellant's agent also advises that his own car has been able to fit within the access at No 174. I do not question that the access cannot accommodate a reasonably sized car. However, the photographs serve to demonstrate that manoeuvrability into and from the site using an access of this width would need to be precise. There is no information before me, nor are there any technical drawings illustrating how manoeuvrability into and out of the appeal site can be achieved. From my own site observations there would not appear to be sufficient space for access and egress to be undertaken safely without using Woodbridge Road to manoeuvre into and out of the appeal site. I acknowledge that it would be marginally easier for a car of small dimensions to access/ egress the site. If permission were granted however, it would continue for future occupiers and would therefore be capable of being used by a wide range of car sizes. It would not be enforceable or practical to restrict the access to being used by a car of only small dimensions.
8. Other than at No 172, there are no instances of this type of access on the immediate southern length of Woodbridge Road. It is not therefore a location where you could reasonably expect drivers and pedestrians to anticipate vehicle movements into and from properties on this side of Woodbridge Road and to take extra care. Further, parking is restricted at specific times and there is little at such times to stop the free and steady flow of traffic along this length of Woodbridge Road. Traffic is therefore likely to be slowed and possibly inconvenienced by manoeuvring within Woodbridge Road to the detriment of the overall flow of traffic. Such movements would also be hazardous to other road users and pedestrians using the pavement.

9. The appellant has drawn my attention to the access at the neighbouring property. No 172 Woodbridge Road and I saw this access for myself on my site visit. There are no details before me to the circumstances in which, or whether, this access and dropped kerb have been granted planning permission, and what standards were in place at the time they came into use. Further I have determined this appeal on its own merits and the presence of another access does not provide justification for the harm that would result from the proposed development.
10. I therefore conclude that the proposal would fail to provide a safe and satisfactory access contrary to Policy DM21 of the Ipswich Borough Council Core Strategy and Policies Development Plan Document Review (2022) which seeks to ensure that development would not result in an unacceptable impact on highway safety.

Other Matters

11. Whilst the appellant refers to the Z3 permit area and the lack of available parking opportunities no further details are provided. I also note the efforts made to engage with the occupiers of the neighbouring property to provide for a shared driveway. However, these matters do not outweigh the harm I have identified above.
12. The site lies within the St Helens Conservation Area (Conservation Area). The plans indicate that the proposed development would involve the dropping of the boundary wall to a 600mm height. This would represent a small visual change that would preserve the character and appearance of the Conservation Area and would not harm its significance as a designated heritage asset. This does not affect my conclusion on the main issue.

Conclusion

13. The development would harm the safe and efficient use of the highway and would conflict with the Development Plan. There are no material considerations that indicate that the decision should be made other than in accordance with the Development Plan. Accordingly, I dismiss the appeal.

K Winnard

INSPECTOR