
Appeal Decision

Site visit made on 2 October 2023

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13.10.2023

Appeal Ref: APP/P1940/D/23/3326066

290 Prestwick Road, South Oxhey, Hertfordshire WD16 6UU

- 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 A Chokhawala against the decision of Three Rivers District Council.
 - The application Ref 23/0710/FUL, dated 1 May 2023, was refused by notice dated 30 June 2023.
 - The development proposed is a vehicular crossover.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the proposal on highway safety.

Reasons

3. The appeal relates to this 2 storey terraced house which fronts onto a classified road (B4542) which is described as a secondary distributor route by Hertfordshire County Council (HCC) as highways authority. The proposal would give access to the frontage of the dwelling which would be used for car parking.
4. The proposed access would be over the existing designated parking spaces and pavement. The size of the appeal site would not allow a vehicle to turn within it and so a car would have to reverse in or out of the appeal site. The HCC state that, as outlined in the Hertfordshire County Council Residential Dropped Kerbs Terms and Conditions, dropped kerbs are not permitted to be constructed within parking bays due to the impact that parked cars would have upon the visibility from the proposed access.
5. The proposal would cross part of an existing parking bay outside the appeal site and stretching to the west and this area would have to be reduced. There also appear to be marked spaces to the east some of which are (at least in part) outside houses with existing parking on their frontage. Whilst the appellant suggests that they are not used for parking, there is evidence of vehicles being parked to the east.
6. Visibility for a driver reversing from the appeal site onto the road would be significantly limited by vehicles parked in the bays, particularly those to the

west where vehicles would be approaching on the near side of the road and there is a bus stop close by. This would compromise the safety of other road users and of the appellant or anyone else residing or visiting the site who parked here.

7. The appellant has included information which indicates that there have been no reported accidents within the vicinity of the site. He states that this, along with traffic calming measures and a speed camera, means that the highway is operating in a safe manner, despite some existing crossovers within the area. I have carefully considered his representations in this respect and conclude that the existing and apparently safe functioning of the highway should not be compromised by what I consider to be a hazardous access point. He also states that he would be more likely to make use of an electric vehicle if the proposal were to go ahead. Any benefits in this respect do not outweigh the harm that I have identified.
8. I have taken all other matters into account, including the convenience for the appellant of having a parking area accessible on his property. However, I have found nothing which is sufficient to outweigh the harm that I have identified. Consequently, the proposal conflicts with Policy CP10 of the Core Strategy. Therefore, the appeal is dismissed.

T Wood

INSPECTOR