



Appeal Decision

Site visit made on 4th March 2024

by Megan Thomas K.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 8th April 2024

Appeal Ref: APP/X0360/D/23/3335559

11 Oxford Road, Wokingham RG41 2YE

- 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 Bethan Lovelock against the decision of Wokingham Borough Council.
 - The application Ref.232638, dated 22 October 2023, was refused by notice dated 27 November 2023.
 - The development proposed is a dropped kerb outside the house to allow access to the front driveway.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb outside the house to allow access to the front driveway at 11 Oxford Road, Wokingham RG41 2YE, in accordance with the terms of the planning application Ref.232638, dated 22 October 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development shall be carried out in accordance with the following approved plans: 23.75-001 & 23.75-002 received by Council on 25/10/23.
 - 3) Prior to use of the front forecourt area for vehicle parking, a scheme for surfacing that area, including the materials to be used, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details and retained in that form.

Main Issue

2. The main issue in the appeal is the impact of the proposed development on highway and pedestrian safety.

Reasons

3. The appeal relates to a semi-detached dwelling in the urban area of Wokingham. Wokingham railway station and town centre are not too far away from the dwelling. The site is situated along Oxford Road, a 2-way classified single carriageway road with unmarked on-street parking spaces on the appeal site side. There is a 20mph speed limit on Oxford Road at this point.

4. The existing frontage of no.11 is about 6.8m wide and about 4.5m in depth and is surfaced with gravel. The neighbouring no.9 Oxford Road has a similar frontage, where the driveway is surfaced with gravel and has a dropped kerb that is about 3.6m wide and about 1.7m in depth.
5. Planning permission is sought for the installation of a dropped kerb for vehicle access in front of no.11 that would be about 3.6m wide and about 1.6m in depth. It is agreed between the main parties that a vehicle would not be able to enter and exit the appeal site in a forward gear. This results in vehicles either reversing into the appeal site or out of it.
6. Advice in the Council's Domestic Vehicle Crossover Application Park indicates that to obtain a crossover on "busy high speed roads (non-residential road with a speed limit in excess of 50 mph) there must be sufficient space within the boundary of the property to turn a vehicle around through 180 degrees." There is no evidence before me which demonstrates that a classified road has a blanket restriction on a dropped kerb if a vehicle cannot turn through 180 degrees on the appeal property. It is necessary, in my view, to make an assessment of the characteristics of the road, the access and the traffic in each individual case.
7. In this case, Oxford Road, in the vicinity of the appeal site, does not have a speed limit in excess of 50 mph. The speed limit is considerably less than that at 20mph. The road is not wholly residential but the appeal site falls within a row of dwellings adjoining the road. I have no formal indication in the evidence before me of the traffic flows on the road and how they differ throughout the day. From a snapshot on my site visit I consider it to be reasonably busy, possibly because of its location not far from the railway station. Oxford Road appears to have been free of accidents in the last 5 years according to data supplied by the Appellant.
8. Taking all these factors together, I have formed the view that reversing movements into or out of the proposed off road parking area would not be an unacceptable hazard to other road users or pedestrians. The driver of the reversing vehicle would have a reasonable view of pedestrians on the pavement and of vehicular traffic, and vehicles on the road should typically be travelling at no greater than 20 mph. I have noted that there are no criticisms raised by the Highway Officer in terms of the proposed width of the access, its siting or the level of visibility (if forward facing) that can be achieved.
9. In terms of parking capacity, whilst on-street parking space would be lost by the creation of a crossover, the occupier of no.11 would no longer need to park their vehicle on the road. There would be almost no net loss of on-street parking in my view. I have noted the concerns of local residents about their ability to park on street in a convenient location for their dwellings, however, I do not consider that this proposed dropped kerb would make the situation materially worse than the existing situation.
10. It is important for an on-site parking area to be surfaced with appropriate materials in order to avoid escape of loose material onto highway surfaces. A planning condition which prevents use of the on-site parking area prior to it being surfaced with a bonded material would overcome the perceived harm and I have therefore attached a condition which can achieve an appropriate solution. The Council, therefore, has control over what type of surfacing they consider to

be suitable. The appellant has indicated that such a condition could be imposed.

11. Overall therefore, I conclude that the proposal would not harm highway or pedestrian safety and would not be contrary to policies CP3 or CP6 of the Wokingham Borough Core Strategy (adopted 2010) or policy P3 of the Wokingham Borough Design Guide (2012).

Conditions

12. I have considered the imposition of conditions in the light of PPG advice. The Council suggested some conditions in the event that the appeal was successful. I have attached a condition relating to surfacing the parking area and this is explained above. A condition requiring materials used on the cross over/dropped kerb is not necessary in this case. I have imposed a condition requiring the scheme to be carried out in accordance with the approved plans and this is to avoid uncertainty and achieve good planning.

Conclusion

13. Having taken into account all representations made, particularly those of local residents, for the reasons given above, I allow the appeal subject to conditions.

Megan Thomas K.C.

INSPECTOR