



Appeal Decision

Site visit made on 12 April 2024 by N Unwin BSc (hons) MSc MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 June 2024

Appeal Ref: APP/Z5630/D/24/3337073

Flat 3 Bramley Mansions, Berrylands Road, Surbiton, Surry KT5 8QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Dominique King against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref is 23/02164/FUL.
 - The development proposed is described as the 'formation of new dropped kerb in conjunction with the part demolition of a front boundary wall and the construction of a new off road parking facility'.
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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 main issue is the effect of the proposal on highway safety.

Reasons for the Recommendation

4. The appeal property is set back from Berrylands Road by a small front garden. A number of vehicular accesses adjoin this section of the highway with two bus stops located on either side of the road, within close proximity to the appeal site, generating congregations of pedestrians within the footway. During my site visit vehicle speeds along this section of the highway appeared modest, although I observed the highway to be characteristically busy in relation to the number of pedestrian and road users. I recognise these observations represent a snapshot in time.
5. The proposal would facilitate the use of part of the front garden as parking, with vehicular access adjoining the public footway. The configuration of the proposal would necessitate vehicles to reverse in or out of the site, limiting the driver's visibility in so doing. When combined with the appeal site's close proximity to the bus stops and aforementioned pedestrian numbers utilising the footway, the proposal would represent a hazard to the safety of pedestrians. Furthermore, buses stationary at the bus stop across from the appeal site require road users to pass on the opposite section of highway, increasing the likelihood of conflict with vehicles utilising the proposed access. This would further compromise highway safety.

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6. I accept that vehicle speeds are relatively low, and that movements to and from the appeal site via the proposed access would be limited. However, the proposal would still increase the probability of conflict with pedestrians and motorists to an unacceptable degree, resulting in an adverse impact on highway safety. There would be conflict with Policies DM9 and DM10 of the Core Strategy Local Development Framework Royal Borough of Kingston Upon Thames (2012) and Section 2e of the Kingston and Sutton Shared Environmental Service Vehicular Crossover Policy and Application Pack (2020) which when read together, broadly require new development not to compromise highway safety and for new vehicular crossovers to not be within 10 metres of a bus stop.

Other Matters

7. The appellant has claimed the establishment of a precedent of similar development in the vicinity. I have not however been made aware of the full circumstances of other examples of similar parking arrangements along Berrylands Road, and it is unclear whether they benefit from express planning permission. In any event, their presence does not justify an acceptance of the harm that would arise in this instance, with each case to be considered on its own planning merits.
8. The appellant's intention to move to an electric vehicle is acknowledged and I recognise that off-street parking would be beneficial to facilitate charging. Furthermore, I recognise that there would be an economic benefit from the employment that would be generated for local contractors, albeit that it would be limited given the scale of the development. However, taken cumulatively, these benefits would not outweigh the proposal's unacceptable impact on highway safety.

Conclusion and Recommendation

9. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

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

Martin Seaton

INSPECTOR