



Appeal Decision

Site visit made on 26 July 2024

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st August 2024

Appeal Ref: APP/Z3635/D/24/3343853

122 Laleham Road, Staines-upon-Thames, TW18 2NP

- 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 John Flynn against the decision of Spelthorne Borough Council.
 - The application Reference is 24/00181/HOU.
 - The development proposed the construction of a vehicle crossover.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on highway safety including pedestrians.

Reasons

Highway Safety

3. The appeal property is a detached home on a stretch of the classified B376 Laleham Road which is principally residential but does include some business frontages. The road has a curved alignment nearby and I observed busy traffic conditions and good use made of on-road parking. The appeal property sits at an angle to the road and its relatively narrow footway such that the hard surfaced frontage is approximately triangular. The proposal is as described above and the scheme would have a length of 6 metres.
 4. The Council is concerned that a parked vehicle on this frontage would possibly hang over the well-used pavement, with the pedestrian safety implications that would have, not least due to proximate schools. For my part I accept the Appellant's case on this; they would be responsible and, in any event, a reasonable sized vehicle could fit fully on the site. However, to achieve this there would need to be some unusual manoeuvring, partly on the footway, and there would seem to be a need for a cross over of appreciably greater dimension than the norm. The first part of this would be prejudicial to pedestrian safety. The second part, which I touch on in paragraph 7 below, is that the cross over, particularly at this scale would add limitations to the scope and capacity for safe on-street parking.
 5. The Council's other concern was regarding visibility along the highway from the site. On this I would agree with the Council. My assessment is that the proximity of above eyeline-height third-party-controlled obstructions to visibility, the narrow footway, parked cars abutting, and the curved alignment
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of the road all combine to create a situation where there would simply be inadequate visibility splays for a residential access onto this type of road. Therefore, and contrary to the Appellant's argument, I would deem it appreciably safer for road and footway users if the Appellant parked locally and legally on-road rather than use this restricted and somewhat contrived frontage with its inherent limitations on wider visibility.

6. Policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document (2009) is relevant. It is concerned with the acceptability of development in relation to the existing highway network. Amongst other matters it seeks to ensure suitable access and egress to the public highway and to protect highway safety generally. I conclude that the appeal scheme would run contrary to this policy.

Other matters

7. I understand the wish to secure a frontage access point to aid convenience and have assurance on the availability of an immediate space. On the other hand the removal of about 6 metres of unrestricted parking would make it more difficult for other people to park day and night, whether resident or visiting local facilities, could amplify stress and may cause inappropriate or unsafe parking decisions to be made. Yellow lines, bus stops and cycle lanes are nearby.
8. I recognise that a degree of local redevelopment and some other cross overs have been created albeit I do not know the planning circumstances of all those access points, some are clearly historic and may have been determined under a previous planning policy regime, and siting is different. In any event I have to assess this case on its own merits. I note that there was historically planning permission to enable on-site parking. However, this was in 1983, applicable planning policies would have been different, it is highly likely that traffic flows would have been less and, as recognised by the Appellant, the permission has expired.
9. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
10. The National Planning Policy Framework has been considered and the development plan policy which I cite mirrors relevant objectives within that document.

Overall conclusion

11. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on highway safety including pedestrians. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR