



Appeal Decision

Site visit made on 22 October 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 1 November 2024

Appeal Ref: APP/K0425/D/24/3346140

9 Old Forge Road, Loudwater HP10 9TP

- 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 BGD Building Services Ltd against the decision of Buckinghamshire Council (Wycombe Area).
 - The application Ref is 23/08110/FUL.
 - The development proposed is extension of existing dropped kerb along the length of the pavement, by 4.6m.
-

Decision

1. The appeal is allowed and planning permission is granted for extension of existing dropped kerb along the length of the pavement, by 4.6m, at 9 Old Forge Road, Loudwater HP10 9TP in accordance with the terms of the application, Ref: 23/08110/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: DRG OF/1/B and red line site plan.

Preliminary Matters

2. Under the description of development on the application form, the applicant provided a number of notes regarding the proposed development. Whilst I have taken these notes into account, they do not need to be recorded in the header above.

Main Issue

3. The main issue in this appeal is the effect of the proposal on on-street parking and on pedestrian and highway safety.

Reasons

4. The appeal property is a semi-detached property on the north-west side of Old Forge Road, a cul de sac of residential dwellings of different ages and styles. The appeal property benefits from a dropped kerb adjoining the driveway which extends along the northern side of the property. There is a shallow front garden in front of the property with a hedge along the front boundary. Many of the surrounding properties have off-street parking arrangements, but most appear to require either reversing into or out of the spaces onto Old Forge

Road. Old Forge Road is an unclassified road subject to a 30mph speed limit with no on-street parking restrictions.

5. The additional parking space being sought in front of the property would not meet the minimum car parking bay dimensions set out in the Buckinghamshire Council Countywide Parking Guidance Policy (adopted September 2015). However, there is no information before me to indicate that it would not be possible for the resident to choose to park a car in that location if desired, using the existing dropped kerb and driveway. It is not clear to me, from the information provided, why the extension of the dropped kerb would lead to elongated manoeuvres across the footway, compared with the existing situation.
6. The Council's reason for refusal indicates that the development, if permitted, would be likely to lead to additional on-street parking, but this assertion is not explained, and it is not clear to me why this would occur. The extension of the dropped kerb, as requested and if permitted would, in my view, potentially reduce the availability of on-street parking. However, there is no information before me of any shortage of on-street parking availability in the immediate locality, and the Council has not suggested that there is an issue in this regard. Given the cul de sac nature of the road and the availability of off-street parking for many of the properties, I do not consider on the basis of the information before me that the extension of the dropped kerb as requested would lead to a material shortage of on-street parking spaces.
7. There is also no evidence before me to substantiate the concern that the request to extend the dropped kerb would lead to issues of pedestrian or highway safety. The appeal property is situated within a cul de sac of residential properties along a straight section of the road. The Council has noted that appropriate visibility splays could be achieved in both directions and that is also my conclusion. Pedestrians and vehicle users along Old Forge Road are and would be aware that most of the properties have off-street parking and that vehicles may and would be entering and exiting these spaces, including some manoeuvring as may be required. Given the nature of the road and the existing levels of off-street parking and required manoeuvres to and from Old Forge Road, I am not persuaded that the proposal before me would exacerbate the existing situation leading to concerns in respect of pedestrian or highway safety.
8. I therefore conclude that the proposal would not materially impact on-street parking availability and would not result in a danger to highway or pedestrian safety. There would be no conflict with the National Planning Policy Framework and in particular Section 9 as well as Policy DM33 of the Wycombe District Local Plan (adopted August 2019), both of which amongst other matters seek to ensure safe and suitable access for all users.
9. The proposal would not accord with all the detailed guidance in the Buckinghamshire Council Countywide Parking Guidance Policy, particularly in respect of the size of the parking bay to be created, and as a consequence with Buckinghamshire Council Local Transport Plan 4 (adopted April 2016) and the Buckinghamshire Council Highways Development Management Guidance document (adopted July 2018). However, in the particular circumstances of this case and for the reasons set out above, I am satisfied that there would be

justification for an exception to be made to these parts of the above documents.

Conditions

10. In terms of conditions, the approved plans should be listed for the avoidance of doubt and in the interests of good planning.

Conclusion

11. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

L J Evans

INSPECTOR