



Appeal Decision

Site visit made on 12 May 2015

by Elizabeth Lawrence BTP MRTPI

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

Decision date: 04/06/2015

Appeal Ref: APP/X1735/D/15/3006049

81 Havant Road, Hayling Island, Hampshire, PO11 0PT.

- 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 Terence Fisher against the decision of Havant Borough Council.
- The application Ref APP/14/01110 dated 30 October 2014, was refused by notice dated 22 December 2014.
- The development proposed is described as dropped kerb request to front left of property to allow parking at front of property.

Decision

1. The appeal is allowed and planning permission is granted for dropped kerb request to front left of property to allow parking at front of property at 81 Havant Road, Hayling Island, Hampshire, PO11 0PT in accordance with the terms of the application, Ref: APP/14/01110 dated 30 October 2014 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 hereby permitted shall be carried out in accordance with the following approved plans: Plan 1 and Plan 2.
 - 3) Prior to the commencement of the development hereby approved a dimensioned drawing showing the proposed on-site parking and turning area shall be submitted to and approved in writing by the local planning authority. The approved parking and turning areas shall be provided prior to the first use of the crossover hereby approved and thereafter the turning area shall be retained and used solely for the turning and manoeuvring of vehicles.
 - 4) Prior to the commencement of the development hereby approved full details of the proposed surfacing materials and on-site drainage to serve the crossover and parking area shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.

Main Issue

2. The main issue is the effect of the proposal on highway convenience and safety.

Reasons

3. Havant Road is a busy distributor road which provides access between Hayling Island, Havant and the strategic road network. The Appeal property is located adjacent to the inside of a bend in the road, within an area that is primarily characterised by linear housing with the open countryside beyond.
4. Policies CS16 and CS19 of the Havant Borough Local Plan Core Strategy 2011 (Core Strategy) are broad policies which address the design of new development and the effective provision of infrastructure. Policies CS20 and DM13 of the Core Strategy deal specifically with transport and parking to serve residential development.
5. Taken together these four policies seek to provide safe and convenient access for all. They aim to ensure that a satisfactory level of off-street parking is provided to meet the needs of residents and that flood protection and transport infrastructure and management is safe and efficient. Highway design should respond positively to the characteristics of the area, deliver a high quality public realm for all users and should not increase congestion.
6. Currently vehicle access to the property is via a private driveway located on the north side of the bend. Visibility from the entrance to the driveway in both directions is extremely limited and in particular to the east. When exiting the driveway in forward gear the restricted visibility from the crossover and the severely restricted forward visibility of the driveway by motorists approaching from the east make the manoeuvre particularly unsafe.
7. The Appellants benefit from a vehicular right of way along the existing single track driveway, which opens up at its southern end, directly in front of the Appellant's car port. However, this area is confined and does not lend itself to on-site turning. Whilst there is further land adjacent to the driveway, the Appellants do not have any rights of way over it. As a consequence, at times vehicles have to reverse along the driveway and into Havant Road, where the reversing driver has no visibility to the east. This is unsafe both for the vehicle reversing onto Havant Road and other road users at this point. The situation is exacerbated by the fact that approaching drivers may be accelerating away from the bend. In addition, the driver of a following vehicle may not be aware should the driver in front of them brake quickly to allow someone to exit the existing crossover either in forward or reverse gear. This is due to the very poor forward visibility around the bend in the highway.
8. The proposed access would be located on the southern side of the bend in the road where visibility of vehicles approaching from the west would be slightly greater than from the existing driveway. Despite this, visibility from the proposed crossover and forward visibility of the crossover by drivers approaching from the west along the offside lane of the highway would remain poor. However, as pointed out by the highway authority, due to the existing traffic regulation order imposed in this location drivers entering or exiting the

proposed crossover would only be allowed to turn left. Such manoeuvres should not have a material impact on the free flow of southbound traffic.

9. Whilst it is acknowledged that drivers could choose to ignore the traffic order, this traffic order is equally applicable to the existing access drive used by the Appellant and his family. The Appellant has indicated that there are convenient alternative routes which would enable the Appellant and his family to enter and exit the proposed parking area solely from the left. At the same time anyone entering or exiting the proposed crossover from the right would leave themselves open to prosecution or a fine if caught.
10. More importantly, the visibility to the south of the proposed crossover would be significantly better than that of the existing driveway crossover. The pavement and verge to the front of the Appeal property and adjacent farm shop is approximately two metres deep at this point and visibility across the frontage of the farm shop and the grass verges beyond is unrestricted. There would be clear forward visibility of the proposed crossover alongside the farm shop entrance from traffic approaching along the nearside lane. At this point drivers would be likely to be slowing their vehicles as they approach the bend in the road.
11. The proposed parking area to the front of the Appeal property could accommodate an on-site turning area, whose sole use for turning and manoeuvring could be secured through the imposition of a condition.
12. As a result of these factors the use of the proposed crossover would be unlikely to increase congestion along this stretch of Havant Road. By reducing reliance on the existing rear access drive the scheme potentially would reduce congestion and highway conflict caused by vehicles suddenly braking as they travel west around the bend in the road. As a consequence, although the proposed crossover would fail to meet the highway authority's current adopted visibility requirements, it would bring about a highway safety improvement by placing less reliance on an access that is clearly unsafe when approaching from either direction.
13. The Council has suggested the imposition of conditions relating to the provision of an on-site turning area and adherence to the submitted drawings. These conditions are necessary in the interests of highway safety and proper planning and for the avoidance of doubt. I have however modified the wording of the suggested on-site turning condition in the interests of precision and enforceability. In addition, a condition relating to the proposed surfacing materials of the proposed parking and turning area and details of the proposed on-site drainage is required for highway safety reasons.
14. The highway authority has raised concerns regarding the implementation of the proposed crossover. This is due to the need to address the different levels between the highway and pavement; the alignment of the pavement; the need to replace various utility apparatus and furniture; the provision of a footway retaining facility; and drainage infrastructure. However, it has not been suggested that it would not be feasible to design and implement such works and as indicated by the Appellant, he would be responsible for all associated costs.

15. Finally, whilst reference is made in the Council's decision notice to policy DM14 of the Core Strategy this policy specifically excludes residential development and so is not applicable to the Appeal scheme.
16. I conclude on the main issue that the proposal would not result in a material increase in highway congestion or otherwise have a materially adverse impact on highway safety. It would therefore comply with policies CS16, CS19, CS20 and DM13 of the Core Strategy. The scheme would also comply with the National Planning Policy Framework which states that decisions should take into account whether safe and suitable access to a site can be achieved.

Elizabeth Lawrence

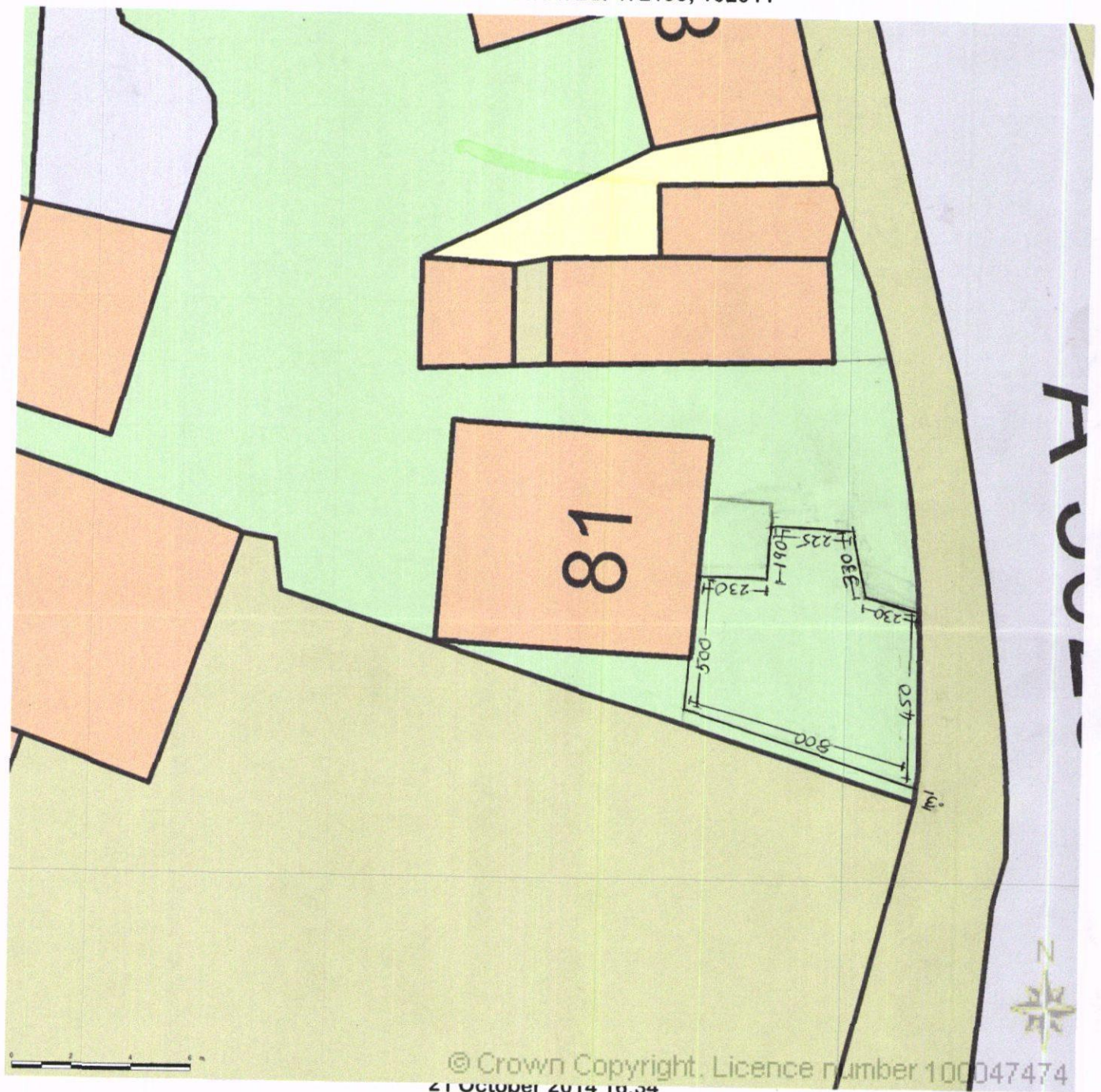
INSPECTOR



WRITTEN APPROVAL REQUIRED FROM
LOCAL PLANNING AUTHORITY - HAVANT.



BLOCK PLAN
AREA 36m x 36m
SCALE 1:200 on A4
CENTRE COORDINATES: 472190, 102011



T. B. FISHER

81 HAVANT ROAD

HAYLING ISLAND

HANTS

PO11 0PT

PROPOSED ON-SITE PARKING AND
TURNING AREA.

BLOCK PLAN
AREA 36m x 36m
SCALE 1:200 on A4
CENTRE COORDINATES: 472190, 102011



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HAYLING ISLAND
HANTS
PO11 0PT

PROPOSED SURFACING MATERIAL FOR
ON-SITE PARKING AND TURNING WILL BE
TARMAC, SUPPLIED BY: B ATKINS SURFACING
CONTRACTORS, 12 CLOVELLY RD, HAYLING
ISLAND PO11 0SD.
ONSITE DRAINAGE WILL BE FRENCH DRAIN
INTO SOAK AWAY