



## Appeal Decision

Site visit made on 2 November 2015

**by Amanda Blicq BSc (Hons) MA CMLI**

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

**Decision date: 3 December 2015**

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**Appeal Ref: APP/K1935/W/15/3078186**

**Amenity Land adjacent to Tillers Link/Leaves Spring, Stevenage, Hertfordshire SG2 9BD**

- 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 Alan Hartley against the decision of Stevenage Borough Council.
  - The application Ref 14/00511/FP, dated 28 July 2014, was refused by notice dated 23 December 2014.
  - The development proposed is change of use from public amenity to residential. Erection of garage.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on highway safety with particular regard to pedestrians and other road users.

### Reasons

3. The appeal site is situated within a housing estate with some generous plot sizes, but minimal off-street parking or garage provision. At the time of my visit (mid-morning), a high proportion of on-street parking spaces were occupied.
4. The appeal site, on the south side of Tillers Link, is an extended area of grass verge. The proposed garage would be sited next to an existing garage, but would be significantly larger and jut out beyond the property boundary line. This would leave a distance of approximately 3.4 metres between the proposed garage door and the back of the footway.
5. Hertfordshire County Council (HCC), advises that the garage frontage should be 6 metres as given in Roads in Hertfordshire; Highway Design Guide 3rd Edition (HDG), which aims to ensure waiting vehicles do not obstruct traffic or pedestrians on the footway. In some circumstances this distance can be reduced, but HCC advises such reductions would not apply in this case as the vehicle to be garaged would be longer than a standard car.
6. The appellant suggests that footway width should be included in the measurement of frontage; I disagree. I acknowledge that the appellant is not

intending to park vehicles on the frontage, but that intent cannot be guaranteed for the lifetime of the garage.

7. Whilst I appreciate that the appellant is prepared to install a remotely activated door to allow opening whilst the vehicle is approaching, there may still be some time delay. In addition, the continued functioning of remote activation equipment cannot be guaranteed in perpetuity. If the garage opening were to be delayed, both the footway and carriageway would be temporarily obstructed. I also noted that vehicles appear to park opposite the proposed garage which would reduce space available for manoeuvring and turning. Consequently, whilst it is not a busy road, I find there would be some potential to cause obstruction to both footway and traffic flow.
8. I appreciate the appellant's argument that there is a shortage of on-street parking provision. However, I am not convinced that the development would free up two parking spaces as the van in question is not double the length of a standard car. Nor can this argument be used to justify a permanent change of use of the appeal site.
9. The appellant has noted that there are other garages in the vicinity with frontages less than the recommendations. However, I do not have their planning history before me, and every appeal must be decided on its own merits.
10. I fully appreciate that parking is a concern for residents of this estate. However, in this instance I find that the reduced frontage would have an adverse impact on the continued safety of pedestrians and other road users. This would not be outweighed by the benefit of freeing up one on-street parking space.
11. Accordingly I find the development conflicts with the aims of the National Planning Policy Framework (Section 4, Paragraph 35) and guidance cited by HCC, Roads in Hertfordshire: Highway Design Guide 3, both of which aim to ensure conflict between traffic and pedestrians is minimised and development does not adversely affect the operation of the highway.

## **Conclusion**

12. For these reasons and taking into account all other matters raised, I conclude that the appeal should be dismissed.

*Amanda Blicq*

INSPECTOR