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Appeal Decision

Site visit made on 6 August 2008

by D Grace BSc DipTP MRTPI

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

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Decision date: 13 August 2008

Appeal Ref: APP/M3835/A/08/2068699
16 Elm Grove, Worthing BN11 5LQ

- 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 & Mrs A Cutts against the decision of Worthing Borough Council.
- The application Ref. WB/07/1057/FULL, dated 20 August 2007, was refused by notice dated 15 October 2007.
- The development proposed is formation of a vehicle access and hardstanding.

Decision

1. For the reasons given below, **I dismiss the appeal**.

Main Issue

2. I consider the main issue in this appeal is the effect of the proposed development on road safety and convenience for users of Elm Grove.

Reasons

3. Elm Grove is a classified road that forms a link between the A259 and A2031 roads. The appeal property is close to the junction of Elm Grove and The Drive. The main frontage of Elm Grove First School is nearby on the opposite side of the road. It contains a pedestrian entrance and two vehicle access/egress points one of which is at the south end of the frontage close to the proposed access. I accept that, as a result of the presence of the school, the number of pedestrian movements in this part of Elm Grove is significantly greater than would be normally expected in a residential street. In my view, the combination of vehicle turning movements at the nearby road junction and into and out of the school and the high level of pedestrian movements and dropping off and picking up of children by car at the school means that the appeal property is situated at a location where there is a relatively high potential for conflict between the various types of highway users.

4. Nos. 10-18 Elm Grove and the dwellings opposite across the street do not have front vehicle accesses. As a result the appeal proposal would introduce additional turning movements in the section of Elm Grove close to its junction with The Drive on the south side. The proposed hardstanding in front of No.16 would be too small to allow a vehicle to be turned off-road. Therefore, it is likely that there would be occasions when vehicles would be reversed from it on to the highway. This would introduce additional road safety hazards and interruptions to the flow of traffic in this part of the street. In view of the existing relatively high risk of conflicts between the various types of highway users, I conclude on the main issue that this increase in hazards would cause

the proposed development to unacceptably harm road safety and convenience for users of Elm Grove and conflict with Policies DEV1 and DEV4 of the West Sussex Structure Plan 2001-2016.

5. The appellants have provided traffic accident information which indicates that in the last ten years there have been six slight accidents in Elm Grove and that these have resulted in injuries to two pedestrians. This information does not alter my view that the scheme would exacerbate a situation where there is a significant potential for conflict between the various types of road users.

6. The appellants have drawn my attention to a number of existing accesses to dwellings in Elm Grove. However, many of these are not the subject of planning permission and the appeal site is closer to the junction with The Drive, where there is greater potential for conflict between road users, than any of the accesses that have the benefit of permission. In any event, the appeal proposal falls to be considered on its own planning merits and that is how I have dealt with this appeal. The appellant indicates that conditions in respect of the gates and hardstanding materials would be acceptable but that would not overcome the harm to road safety that I have identified above.

7. I have considered the information that the appellants have a young child with disability who has unfortunately suffered illness that has required surgery and hospital visits and currently needs to be carried to and from the house. I accept that a parking space within the curtilage would have benefits in relation to this. However, it is to be hoped that these specific personal circumstances will improve and result in different requirements in the future. On balance, taking this into account, I consider the benefits of the scheme in relation to the appellants' family circumstances are outweighed by the likely adverse effect of the scheme on road safety and the consequent risks to the public. My view in this respect is reinforced because it is likely that any future different occupiers of the appeal property will have different circumstances.

8. The Council has drawn my attention to an appeal decision in relation to a vehicle access proposal (Ref. APP/M3835/A/07/2055530/WF) elsewhere in the district. However, I am not aware of the specific details of that case and I have afforded it little weight in coming to my decision.

9. I have considered all other matters raised but find nothing leads me to a different overall conclusion.

D Grace

INSPECTOR