

STATES OF JERSEY

REPORT TO THE MINISTER OF PLANNING AND ENVIRONMENT

APPEAL by Tom Matthews under Article 108(2)(b) of the Planning and Building (Jersey) Law 2002, as amended, against the refusal of planning permission to demolish an extension to the north of Richmond, La Route de la Haule, St Brelade to create a paved parking area for 1 car.

Department of the Environment (DoE) ref P/2015/1129

Unaccompanied site visit made 8 February 2016

Inspector: Roy Foster MA MRTPI

INTRODUCTION

1 The proposal is to create a parking area of 7m x 3m by the demolition of a single storey extension at the rear of Richmond, a building situated on the western side of the junction of La Route de la Haule (A1) with the minor road La Ruelle es Ruaux.

THE ISSUE

2 Policy GD1 (5) of the Island Plan requires new development not to 'lead to unacceptable problems of traffic...safety'. The only issue in this appeal is whether or not the proposal would give rise to potential danger to highway safety in contravention of this policy.

INSPECTOR'S OBSERVATIONS AND CONCLUSIONS

3 The Transport and Technical Services Department (TTS) states that its Technical Guide for Roads Serving Small Housing Developments requires that a private driveway be sited at least 20m from a road junction, whereas the TTS calculates that a driver turning into the minor road from the A1 would have about 6.5m forward visibility towards a vehicle emerging from the proposed access. In the view of TTS this is likely to result in vehicles stopping suddenly part-way through the turn and increasing the risk of a collision.

4 According to the application drawing at 1:200 scale the paved parking area would have a maximum length of about 7m and a varying depth of about 3m or so. On that basis any vehicle in the parking area would probably be stationed parallel with the carriageway. Scaling from the 1:200 drawing the proposed parking space would be between about 11m and 18m from the junction of La Route de la Haule (A1) and the minor road. Alternatively, scaling from the drawing headed Steven Slater Legal Service, the distance from the southernmost part of the parking space to the junction would be in the region of 10m. However, given the acute angle of the junction for vehicles turning into the minor road from the west and the break-back of the flank wall of Richmond, drivers of such vehicles would, as TTS estimates, have quite a bit less than 10m to see a car emerging from the new parking area onto the carriageway, and vice versa, especially as the attention of drivers entering the minor road would be primarily directed at that point to watching out for potential on-coming vehicles exiting the narrow minor road.

5 The issue is less problematic for vehicles turning into the minor road from the east since the angle of the junction provides better forward visibility. Nonetheless, a vehicle exiting the car parking space at the 'wrong moment' could still cause one entering La Ruelle es Ruaux to brake suddenly, causing risk of collision with the vehicle emerging ahead and/or others to the rear presented with an unexpected braking vehicle on or near the junction.

6 Judging by the vehicle count undertaken by the appellant (para 3, letter of 14 October 2015) this is not a heavily used junction and it is also probably the case, as the appellant suggests, that traffic entering the minor road from the west would be travelling slowly around this sharp bend. Nonetheless the potential for danger would still be present.

7 The appellant quotes an unnamed 'recent court sitting' as indicating that standards are set down only for guidance, not as inflexible rules, and that there may be circumstances

where they should not be rigidly followed. There will be '*...occasions where it will be necessary to balance normal parking requirements for proposed development against the need to meet other planning policies with regard to...*' other factors. It is certainly the case that guidance should not be applied over-prescriptively but the quoted case appears to relate to the amount of parking provision made at sites rather than to safety and visibility splays. Nonetheless, I accept that even in safety matters it is necessary to carefully weigh all relevant matters. As the appellant points out, demolition of the party wall with the adjoining property to the north could produce some improvement to the visibility at the narrow blind exit from that property's parking area which is said to accommodate 3 cars and be used by a minibus for residents with special needs (para 2, letter of 14 October 2015), albeit a vehicle parked in the proposed new space could itself obstruct much of the consequent improved southward visibility for drivers exiting from that drive.

8 According to the application assessment sheet there is a proposal to install a vehicle turntable at the appeal site although it is not clear to me that this would necessarily be helpful in the case of a rectangular parking area parallel with the road.

9 I conclude that the circumstances of the case would conflict with Island Plan policy GD1 (5) and am not convinced that the installation of a vehicle turntable would overcome the potential hazards.

RECOMMENDATION

10 I recommend that the appeal be dismissed.

Roy Foster, Inspector

19 February 2016