

RECENT APPEAL DECISIONS TO 11 March 2013

Application Ref: S12/2833/TPO RV
Planning Inspectorate No: APP/TPO/E2530/3032

Appeal Type: **TPO Fast track**

Appellant:	Brian Coleby
Proposal:	Fell one sycamore tree (numbered 2 on the attached plan) within group of trees covered by A273 - Stamford (Windmill Way)
Site:	Windmill Lodge, Windmill Way, Stamford, Lincolnshire, PE9 2RH

Appeal Decision – Date:	Appeal dismissed - 25 February 2013
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SUMMARY

An application was submitted for the felling of a Sycamore tree covered by A273 – Stamford (Windmill Way) Tree Preservation Order.

Because of the prominent position of the tree and its location within a visually important group of trees having a significant impact on the local amenity the recommendation of the Council's Tree Officer was that the application be refused.

The Inspector agreed with the above assessment and was also of the opinion that that the tree whilst of the size and location it was in could create a potential for considerable damage should it have a major failure but that it showed no signs of decay or defects that may lead to this happening. There were also possible options to reduce its weight and wind resistance and he did not consider that felling was justified simply as a precaution. He therefore dismissed the appeal.

No application for costs was made by either party.

Application Ref: S12/1692/FULL LDPP
Planning Inspectorate No: APP/E2530/D/13/2189792

Appeal Type: **Written Representation**

Appellant:	Mr & Mrs T Digan
Proposal:	Drop kerb and create parking area
Site:	67, Harrowby Road, Grantham, Lincolnshire, NG31 9ED

Appeal Decision – Date:	Appeal allowed with conditions - 04 March 2013
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SUMMARY

The proposal involves widening the dropped kerb by 4m so that the front garden area can be used for parking more easily.

The main issue is the effect of the proposed development on highway and pedestrian safety on Harrowby Road.

The Inspector commented that whilst widening the dropped kerb would result in the loss of a parking space to the front of No 67, it would provide at least one additional space on the front garden area of the appeal site, and possibly two.

Accordingly, whilst parking space on the highway would be slightly reduced, additional space within the appeal site would lessen demand for on-street parking. Local residents who park on the road would not therefore be disadvantaged to any material extent. Moreover, the Inspector saw no evidence to show that the proposal would create on-street parking problems in the wider area as some parties contend.

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The Inspector considered that visibility for a driver would be reasonable in both directions, and given the relative infrequency and short duration of such manoeuvres and the low speeds involved was satisfied that the safety of pedestrians would not be materially compromised.

The wider dropped kerb would present no greater problem for pedestrians or those using pushchairs than the existing access, nor would it be an appreciably greater hazard in winter.

In summary, the Inspector considered the proposal would not materially harm highway and pedestrian safety, and would not therefore conflict with the broad objectives in the *National Planning Policy Framework* concerned with highway safety.

There has been a full Award of Costs in relation to this appeal.