

Appeal Decision

Site visit made on 14 September 2016

by J F Powis BA (Hons) MSc MRTPI

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

Decision date: 03 November 2016

Appeal Ref: APP/H1705/W/16/3148619

Bidden Grange Cottage, Bidden Road, Upton Grey, Hampshire RG25 2RW

- 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 Nigel Taylor against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 15/03616, dated 13 October 2015, was refused by notice dated 9 March 2016.
 - The development proposed is the erection of a new vehicular access onto Bidden Road.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The Basingstoke and Deane Borough Local Plan 2011-2029 was adopted on 26 May 2016, after the Council's decision in respect of this application. The Council's decision notice refers to saved Policies E1 and A1 of the Basingstoke and Deane Borough Local Plan 1996-2011 which have now been superseded and therefore no longer have statutory weight as part of the development plan. My decision is made on the basis of the development plan in place at the time of writing.
3. At the time of my visit, it appeared that the proposed works had started on the appeal site but had not been completed. I note from the application form that development started in August 2015.

Main Issue

4. The main issue is the effect of the proposed access on the safety of highway users on Bidden Road.

Reasons

5. Bidden Road is a classified rural road with mature trees and planting behind grass verges on both roadside boundaries. Bidden Grange Cottage sits adjacent to Bidden Road but vehicular access is currently via a single width lane off Bidden Road which also serves three other residential properties.
 6. The proposed development would provide a new vehicular access to the property from Bidden Road, approximately 80m north east of the existing access lane, to serve a new parking area. Two residential properties approximately 100-180m north east of Bidden Grange Cottage have direct access onto Bidden Road but I do not have information about the planning
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status of those access arrangements. Policy CN9 of the adopted Local Plan states that development proposals will be permitted where, amongst other things, they integrate into existing movement networks and provide safe, suitable and convenient access for all potential users. In this case, the disagreement between the parties relates to the visibility available to vehicles using the new access, and the consequent safety of all highway users in the vicinity of the site.

7. The appellant's transport technical note sets out at figure 2.1 the design speeds of the road and corresponding visibility requirements. This is based on survey information and utilises the Design Manual for Roads and Bridges (DMRB) 'one step below' sight stopping distances. The note concludes that visibility of 91.3m is required for southbound traffic and 98.3m is required for northbound traffic. It goes on to state that the achievable visibility from the proposed access location is 2.4m x 98m to the north (looking towards southbound traffic) and 2.4m x 58m to the south (looking towards northbound traffic). The latter distance appears as a figure of 50m in drawing no.2015/2702/002 which is appended to the technical note.
8. The note concludes that the proposed access is compliant with 'DMRB one step below' visibility standards. However, whilst this would appear to be the case in respect of southbound traffic, the aforementioned figures appear to indicate that the achievable visibility for northbound traffic of 58m is significantly below the stated requirement of 91.3m. I have no evidence before me to demonstrate why the significantly lower visibility looking south in this case would not be harmful in highway safety terms. The appellant's submissions indicate that visibility looking south could be improved by removing an overhanging tree branch, although no information is provided as to the likely extent of the improvement that would result.
9. At the time of my visit there was a low volume of traffic on Bidden Road travelling at moderate speeds. In my view, the characteristics of the road may allow some deviation from sight stopping distances based on DMRB assumptions, noting the DMRB focus on trunk roads and motorways. However, I have no evidence in this regard and am concerned that the shortfall in visibility in this case would affect vehicles turning right out of the new junction and therefore crossing northbound traffic.
10. I accept that the proposal does not involve works to intensify the use of Bidden Grange Cottage and would not in itself generate additional vehicular movements. I also recognise that the existing access lane offers limited turning facilities and poor visibility for emerging vehicles, with approximately 20m visibility looking north and 17m looking south from a 2.4m position. I further acknowledge the practical difficulties of improving visibility looking south from the existing access where this would involve undertaking works on land that is outside of the control of the appellant. In comparison, the proposed development would provide an improved means of access in terms of visibility.
11. However, I am mindful that the creation of the new access would be in addition to the existing lane, which would still be required to provide access to the appeal property's double garage and the other residential properties beyond. Furthermore, the evidence indicates that there have not been any recorded accidents associated with vehicles entering or leaving the existing access lane

in recent years. In these circumstances I am not persuaded that there would be a significant benefit to highway safety through the creation of an additional access, even one with much improved visibility.

12. The appellant submits that due to the limited space currently available for parking on the site, visitors tend to park on the grass verge to the north of the existing access lane. There was some evidence of this at the time of my visit. Due to the considerable depth of the verge in this location, I do not consider that informal visitor parking on the verge in this location would significantly obstruct views to the north for vehicles emerging from the existing access lane. I therefore attach only limited weight to this consideration.
13. On the basis of the information before me, I conclude that the proposed access would have an unacceptably harmful effect on the safety of highway users on Bidden Road. The proposal is therefore contrary to Policies CN9 and EM10 of the adopted Basingstoke and Deane Borough Local Plan, the latter of which includes a requirement to provide safe and accessible neighbourhoods, and the Framework.

Conclusions

14. For the reasons given above I conclude that the appeal should be dismissed.

J F Powis

INSPECTOR