



Appeal Decision

Site visit made on 3 July 2017

by Chris Couper BA (Hons) DipTP MRTPI

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

Decision date: 14 July 2017

Appeal Ref: APP/F0114/D/17/3169806

Woodside Cottage, 540 Bath Road, Saltford, Bristol BS31 3JL

- 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 Ben Luton against the decision of Bath & North East Somerset Council.
 - The application Ref 16/04880/FUL, dated 26 July 2016, was refused by notice dated 24 November 2016.
 - The development proposed is a vehicle driveway and drop kerb access to the side and rear of the property.
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Decision

1. The appeal is allowed and planning permission is granted for a vehicle driveway and drop kerb access to the side and rear of the property at Woodside Cottage, 540 Bath Road, Saltford, Bristol BS31 3JL in accordance with the terms of the application, Ref 16/04880/FUL, dated 26 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: H.M. Land Registry Plan title no. AV132782, Land Registry OS plan at 1:500, and drawing nos. 16/JB/001, 16/JB/002, 16/JB/003 and 16/JB/004.
 - 3) The areas allocated for the parking, turning and manoeuvring of vehicles on drawing ref no. 16/JB/003 shall be kept clear from obstruction and shall not be used other than for those purposes.
 - 4) Prior to the first use of the development hereby permitted, the driveway shall be finished with a bound and compacted surface material (not loose stone or gravel), which shall be permanently retained thereafter.

Main Issue

2. The main issue is the effect of the proposal on highway safety.

Reasons

3. No. 540 is located at the end of a short terrace, which faces the busy Bath Road. This stretch of Bath Road is fairly straight with good forward visibility for drivers. It has streetlights, is subject to a 30mph speed limit, and there is a speed camera diagonally opposite the terrace. There are already various

accesses on to the road, including private driveways. I have no evidence before me of highway accidents or incidents close by, and it would be reasonable to expect drivers here to proceed cautiously and at a low speeds.

4. The submitted drawings show how a vehicle could be turned around on site to exit on to Bath Road in a forward gear. They also show that the driveway's access point on to Bath Road would be positioned close to the site's northern boundary.
5. Given the low height of the remaining section of wall to the front of no. 540, it would have little or no impact on visibility to the right for emerging drivers. The appellant has no control over obstructions to the front of the other properties in this terrace. However, given the position of the proposed access, the alignment of Bath Road at this point, the 30mph speed limit, and the depth of the footway, I consider that satisfactory visibility could be achieved in that direction.
6. Visibility to the left for emerging drivers would be restricted by the much higher wall and hedgerow to the front of no. 538. However, by aligning a vehicle to the right hand side of the proposed driveway, emerging drivers could achieve a reasonable degree of visibility looking left over the pavement towards vehicles travelling southeast. Those vehicles would ordinarily be on the opposite side of the road, particularly given the no overtaking zone which commences from this point.
7. For all those reasons, from the evidence before me, I am satisfied that the scheme would not compromise highway safety, and that it would not conflict with policy T.24 of the Bath and North East Somerset Local Plan. This seeks to ensure that new development provides a high standard of highway safety.

Conditions

8. The Council proposed a number of conditions, which I have considered against the relevant tests in the National Planning Policy Framework, making amendments where necessary to improve precision, clarity and enforceability. I have imposed the standard time limit condition, and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans. In the interests of highway safety, I have also applied two conditions, requiring that the parking and turning areas be kept free from obstruction, and that the driveway be permanently bound with an appropriate material.

Conclusion

9. For the above reasons, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR