
Appeal Decision

Site visit made on 4 July 2017

by J Ayres BA Hons, Solicitor

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

Decision date: 27th July 2017

Appeal Ref: APP/L1765/W/17/3172584

South Winds, Wickham Road, Curdridge SO32 2HG

- 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 Ms C Wyeth against the decision of Winchester City Council.
 - The application Ref 16/03003/FUL, dated 7 November 2016, was refused by notice dated 20 January 2017.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's decision notice refers to saved Policy T2 of the Winchester District Local Plan Review 2006. Since the date of the Council's decision the Council has adopted the Winchester District Local Plan Part 2 – Development Management and Site Allocations 2017 (WDLPP2). This replaces the saved policies of the Winchester District Local Plan Review 2006 and I have therefore considered the newly adopted plan in determining this appeal.

Main Issues

3. The main issues are the effect of the proposal on (i) highway safety with particular regard to visibility, and (ii) the character and appearance of the area, having particular regard to the Council's policy relating to development in the countryside.

Reasons

Highway Safety

4. The Council's Highway Engineer has carried out an assessment of the access to the appeal site and advised that due to the vertical alignment of the road visibility is limited to 2.0m by 90m approx. The Highway Engineer confirms that the minimum requirement is 2.0m by 160m and therefore the visibility for access to the site is significantly below the minimum requirements. Wickham Road is a busy road carrying a high volume of traffic, some of which are heavy goods vehicles. It has a 50mph speed limit, and I attach significant weight to the concern of the highway engineer relating to the safety of users of the road and those accessing the site.

5. The appellant has not provided any evidence to suggest that this figure is incorrect, and asserts in their statement of case that access to the proposed property could be paired with that to South View. However, the plans have not been revised, and no further assessment has been carried out to confirm whether or not this adjustment would ensure adequate, or at the least improved, visibility splays.
6. On the evidence before me I find that the proposal would fail to provide adequate visibility splays and would conflict with Policy DM18 of the WDLPP2, with particular regard to criteria (ii), (iii) and (iv) of that policy which seeks to ensure safe access to and from proposed development.

Character and appearance of the area, having regard to the Council's policy relating to countryside development.

7. Policy MTRA3 of the Winchester District Local Plan Part 1 – Joint Core Strategy 2013 (WDLPP1) allows for the infilling of a small site within a continuously developed road frontage. The appeal site is located between South Winds and Kitnocks Lodge, on Wickham Road. The development in the area is defined by clusters of residential properties, separated by green open spaces. As the appeal site forms part of the larger field, it would not infill the entire width of the gap in the built form. However, there is clearly residential development either side of the site, it continues on this side of the road towards and along Outland Lane in one direction, and towards Kitnocks Hill in the other direction. I note the concerns of the Council that gaps between clusters of development should be maintained. However, the site does not currently appear as a functioning gap between clusters of development. In my view there is a functioning gap further along the road, past Kitnock Lodge travelling towards Kitnocks Hill. The site does not currently enhance the rural character or appearance of the area, it is bounded on either side by development, and due to the topography of the road it does not allow for views beyond into the countryside. In my view the proposal would comply with the overall approach to infilling a site within a continuously developed road frontage.
8. The surrounding residential properties are a variety of styles and sizes, which predominantly face onto the road. The proposal would be a modest, chalet style bungalow, set back within the site, facing onto the road, and would be in keeping with the design and scale of other properties in the area. The site currently has a mature, albeit relatively low, hedge along the front boundary. New boundaries would need to be established on either side of the site with care taken to ensure that they were in keeping with the rural nature of the area, and I consider that this could be achieved through the use of appropriate landscaping. In my view the proposal would not cause any material harm to the character and appearance of the area, and the sympathetic design would enhance the rural character of the village.
9. As such, I find that the proposal would comply with the overall approach of Policy MTRA3 of the WDLPP1 in respect of infilling. The proposal would not cause harm to the character and appearance of the area would therefore comply with Policy DM22 of the WDLPP2 which seeks to protect the natural beauty and amenity of the district's countryside.

Other Matters

10. I am aware that the appellant wishes to provide accommodation for their mother, who currently resides in South Winds but will need to move due to the sale of that property. I have the greatest sympathy for the appellant in this respect. However, the issue regarding the visibility splays for the proposal have not been adequately addressed by the appellant in their evidence, and I have serious concerns regarding the safety of road users and occupiers of the proposal. In this case these concerns outweigh the weight that I attach to the personal circumstances of the appellant's mother.

Conclusion

11. I have found that the proposal would not harm the character and appearance of the area, and complies in general terms with the aims of the development plan in respect of allowing development within the countryside. I have also carefully considered the personal circumstances of the appellant's mother. However, these aspects would be significantly and demonstrably outweighed by the danger identified in regards to occupiers of the proposal and users of Wickham Road in respect of highway safety. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

J Ayres

INSPECTOR