
Appeal Decision

Site visit made on 2 August 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 14th August 2017

Appeal Ref: APP/P0240/W/17/3174671
39 Arlesey Road, Stotfold, Beds SG5 4HB

- 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 Douglas Howard against the decision of Central Bedfordshire Council.
 - The application Ref CB/16/03865/FULL, dated 16 August 2016, was refused by notice dated 1 November 2016.
 - The development proposed is a detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on highway safety with specific regard to the suitability of the access.

Reasons

3. The appeal site is the extended and roughly rectangular rear garden to Number 39 Arlesey Road and is enclosed by a mix of close boarded fencing and hedges. The proposed detached two storey dwelling would be roughly in line with other rear plots that have become established and accessed via the existing driveway that serves No 39. Future occupiers would leave the road via the existing site entrance and travel between the existing dwelling and a forward outbuilding in the front garden to No 37. Parking for both the existing and proposed dwelling would be provided via what would become this shared access arrangement.
4. The point at which the access meets the back edge of the footway is enclosed by a front boundary hedge and the aforementioned outbuilding. The latter all but obscures visibility in the right hand direction for exiting vehicles. Not only does this significantly reduce the ability for drivers to see oncoming cars but also pedestrians using the footway. The nose of any vehicle would have to be well into the highway at this point to be able to see sufficiently to the right. The front boundary hedge could be managed to improve this situation, but the appellant does not control the outbuilding and it is from this direction that oncoming traffic would travel.
5. The space between the side wall of the dwelling and this outbuilding is very narrow, sufficient only for a single vehicle to pass. Whilst I accept that it is possible for a dwelling of the size of No 39 to attract more than one vehicle,

the establishment of a separate and independent dwelling unit would represent a fundamental change to the functioning of what would be a shared access. For this reason, two vehicles wishing to enter or exit at the same time cannot be ruled out. This has the potential to create not only manoeuvring problems within what is a spatially constrained site but also lead to waiting within or reversing into a live carriageway. The former of these is less than ideal, the latter potentially dangerous.

6. I noted in the evidence that the road to the front of the appeal site is the main access to the local school and as such the road and footway are well used by pedestrians, cars and cyclists accessing it. This has the potential to exacerbate the problems that I have identified above. Whilst I do accept that the existing access may compare favourably with others in the area, this would not be sufficient to alleviate my concerns. In essence, I am not convinced that increasing the frequency of use of what is clearly already a highly constrained access is the best approach to take.
7. For the above reasons, the proposed development would be harmful to the safe use of the highway, conflicting as it would with Policy DM3 of the Local Plan¹ and the Central Bedfordshire Design Guide. These policy approaches seek to ensure, amongst other things and along with the Framework², that new development is of a high quality and contextually appropriate design and provides appropriate and safe access and layouts that minimise conflicts between traffic and cyclists or pedestrians.

Conclusion

8. Whilst having regard to all other matters raised, I conclude that the appeal is dismissed.

John Morrison

INSPECTOR

¹ Central Bedfordshire Local Development Framework Core Strategy and Development Management Policies 2009

² The National Planning Policy Framework 2012