The Planning Inspectorate

Appeal Decision

Site visit made on 11 June 2018

by Gareth W Thomas BSc(Hons) MSc(Dist) PGDip MRTPI

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

Decision date: 15 June 2018

Appeal Ref: APP/Q1153/W/17/3188910
Woodbine Cottage, Sydenham Damerel PL19 8PU

- 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 Richard White against the decision of West Devon Borough Council.
- The application Ref 2439/17/HHO, dated 18 July 2017, was refused by notice dated 14 September 2017.
- The development proposed is to widen the original entrance gate opposite Woodbine Cottage to allow vehicular access to the land owned by Woodbine Cottage.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether a safe access can be provided that would not harm the setting of a listed building and the Area of Outstanding Natural Beauty.

Reasons

3. The appeal site comprises a garden area located opposite a pair of cottages on the edge of village of Sydenham Damerel. The cottages back on to the graveyard to the Grade II* listed church. The land the subject of appeal is located behind a relatively continuous Devon hedge bank, which is a strong linear feature on the northern side of the road as it heads east out of the village.

4. The proposal would see the removal of a section of the Devon bank to facilitate an access to a parking area that would involve excavation to lower the existing ground levels at this point. The details accompanying the appeal are scant and merely indicate the creation of a 7.5m wide entrance with a slight splay. On the basis of the submitted plans, there is no indication that there would be significant hedgerow removal. The Council has included reasons based on the creation of an access to a far higher standard. However, I do not consider that the modest nature of the proposal that is before me would unacceptably impact upon the setting of the listed church and an access of the type proposed would be unlikely to have a significant impact on the Area of Outstanding Natural Beauty.

5. That said, on the basis of the appellant's submissions, the proposal would result in vehicles reversing from or onto the carriageway close to a bend in the road. Visibility when reversing would be extremely limited.

6. I recognise that there are a small number of existing accesses in the immediate area that rely on reversing manoeuvres. However, this does not represent a good reason for accepting new development that would add to highway danger. The Council has indicated the minimum requirements deemed necessary to secure acceptable standards of highway safety. Clearly, the submissions do not comply with the Devon County Council's Highways in Residential and Commercial Estates Design Guide. Nor do the details comply with the Manual for Streets[1] document in relation to the provision of adequate visibility splays.

7. I conclude that the proposal would result in unacceptable harm with regard to highway safety and would conflict with Policies SP20 and T8 of the West Devon Borough Council Local Plan review 2005 (as amended 2011) that requires amongst other things for new development to provide acceptable means of access, including visibility splays, off-street parking and on-site turning facilities.

8. I therefore conclude that this appeal should be dismissed.

Gareth W Thomas

INSPECTOR

[1] Manual for Streets – Welsh Assembly Government, Communities and Local Government and Department for Transport 2007