



Appeal Decision

Site visit made on 11 June 2019

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 4th November 2019

Appeal Ref: APP/V2635/W/19/3223274

The Poplars, Long Road, Terrington St Clement PE34 4JN

- 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 Chris Bradley against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 18/00784/F, dated 29 April 2018, was refused by notice dated 28 September 2018.
 - The development proposed is a change of use to an equestrian business utilising the existing buildings & facilities out lined below: existing barn 15 x 14 meter to change to indoor riding area; existing stabling to be utilised; current hard standing area - for parking; 5 acre of grassland for grazing- already established; area not exceeding 20 x 40 meters of existing hard standing to have sand surface laid; boarding to hold sand in place and the area to be fenced/screened.
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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.

Reasons

3. The appeal site is a stable block, barn and land which lie off Long Road, which is a rural lane. The appeal proposes their use for an equestrian business offering lessons, training sessions and therapies.
4. On leaving the New Roman Bank highway, Long Road initially has a width which is sufficient for 2 cars to pass concurrently. It then narrows as it leaves an area of housing, and the width becomes generally single track for some distance before the lane reaches the appeal site.
5. Opportunities for vehicles to pass along the single track section are limited to the use of the verges which line the lane, and the informal use of field accesses and property drives for this purpose is additionally likely.
6. The appellant submits that the private car would be the main type of vehicle to access the site. However, as an equestrian business offering stabling and grazing for horses it is likely that it would result in the additional use of surrounding highways by vehicles with trailers and wide vehicles. Indeed, the appellant has confirmed that his own horses would initially be used for the business, but that customers may bring their own horses in the future.

7. Long Road is a dead-end route with only a few scattered further dwellings past the appeal site before becoming a private road. The appeal site has a rural location and Long Road has no footways or street lighting in the vicinity, and is subject to the national speed limit. Accordingly, trips to the business are generally likely to be by vehicle, and from the New Roman Bank direction.
8. The width of the lane on approaching the site from this direction is between approximately 3.0 and 3.9 metres for a significant distance. The Manual for Streets¹ sets out that a carriageway width of at least 4.8 metres can accommodate the concurrent passage of a large vehicle and car, whilst at least 4.1 metres is required in order for 2 cars to pass.
9. The proposal would result in an intensification of the use of the lane due to the addition of visitors to the site. I note the proposed limit of 2 people per lesson, however the number of potential lessons per day is not set out, and there is nothing to prevent this being substantial given the relatively long proposed opening hours. Furthermore, additional activities are proposed at the site, which would attract additional traffic, and trips by any potential delivery vehicles or staff would add to these. Accordingly, and as the business would be open 6-7 days per week, the total number of additional trips generated per week is likely to be significant.
10. Even if the majority of these trips were by car, the lane does not generally offer a sufficient width for 2 such vehicles to pass concurrently. Therefore if 2 cars were to meet, one would need to mount the verge in order for them to pass, or to reverse if intending to pull in to a driveway or field access.
11. The roadside verges along the section concerned are generally raised and somewhat uneven. Therefore they do not offer reliable passing places because vehicle manoeuvres would be challenging on them.
12. Reversing in order to use a driveway or field access is a manoeuvre which carries an increased risk to road users due to its inherent reduced visibility.
13. Mounting the verge and reversing would be additionally challenging for trailed and wide vehicles due to their greater size and reduced manoeuvrability. Given the narrow width of the road and the lack of footways or street lighting, such manoeuvres by larger vehicles would represent a particular hazard to other road users such as pedestrians and cyclists, with limited areas of available refuge. I concur that the associated additional erosion of the carriageway edge is additionally undesirable because the likely resulting deposition of mud on the highway would cause a skid hazard to vehicles and cycles.
14. As a result of the above factors, the significant number of additional vehicular trips generated by the proposal would cause harm to highway safety, because the resulting additional vehicular manoeuvres would increase the level of risk to users of the highway.
15. There is a relatively sharp bend in the lane outside the property "The Forresters", however the highway has a reasonable width at this point, and significantly lower vehicle speeds than the lane's national speed limit would be necessary in order to negotiate the bend. In light of these factors and the limited evidence on the matter, I conclude that it has not been demonstrated

¹ Department for Transport, 2007

that available visibility at the bend is so restricted as to cause harm to highway safety in light of the additional vehicular use which the proposal would entail.

16. I acknowledge limited submissions on the extent of the unclassified road network. Nevertheless, the information provided relates to national circumstances and consequently it is of limited use in determining the appeal in the particular local circumstances described above.
17. Similarly, only minimal evidence of the existence of other businesses along the lane, the nature of a previous use of the site, the use of the route by other large vehicles, examples of other local businesses and the apparent lack of accidents along the lane is provided. However, even if I were to accept these unsubstantiated submissions, it is unlikely that they would provide an example which should inevitably be followed even if harm were to result from the appeal proposal.
18. Moreover, any benefits to rural business diversification, sustainable local economic growth and healthy lifestyle options would not be sufficient to justify a deviation from local plan policy in this particular case.
19. Thus, the proposal causes unacceptable harm to highway safety. It therefore conflicts with Policy CS11 of the Local Development Framework Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016), which set out that development proposals should provide for safe and convenient access for all modes. Further conflict exists with the National Planning Policy Framework (2019), which states that development to meet local business needs in rural areas should not have an unacceptable impact on local roads.

Other Matters

20. I note the appellant's concerns regarding the local highway authority's approach, however, these are not matters for this appeal, which I have determined on its planning merits.
21. I acknowledge evidence of limited local support for the proposal. Notwithstanding this, there is minimal evidence to support the contention therein that any resulting additional informal surveillance would help to reduce levels of crime in the area, or indeed that this is a significant issue. As a result, I attach only minimal weight to this submission in determining the appeal.

Conclusion

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

C Beeby

INSPECTOR