



Appeal Decision

Site visit made on 19 August 2019

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th November 2019

Appeal Ref: APP/C1570/W/19/3230808

Thirlemere, 66 Newbiggen Street, Thaxted, Dunmow CM6 2QT

- 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 Jack Croucher against the decision of Uttlesford District Council.
 - The application Ref UTT/18/3263/FUL, dated 24 November 2018, was refused by notice dated 24 January 2019.
 - The development proposed is new dwelling unit alongside 66 Newbiggen Street, Thaxted, Dunmow, Essex CM6 2QT.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. In order to address the concerns raised by the Council's decision revised plans were submitted (Drawing Nos D12 and D13 dated 07 May 2019). The specific change from those considered prior to the decision is an increase in the number of parking spaces from 4 to 5. Other elements of the proposed development remain the same as submitted in the original application. I have considered the appeal on this basis.

Main Issues

3. The main issues are the effect on highway safety on Newbiggen Street and whether adequate provision would be made for parking.

Reasons

Highway safety

4. The proposal is for the construction of a new, two bed link detached house within the side amenity space of 66 Newbiggen Street (No 66). The plot of No 66 is considerably wider than that of most properties in the immediate vicinity of the site. No 66 is currently a semi-detached property whereas an end-of-terrace (of four dwellings) at no 68 adjoins the opposite side. The link between No 66 and the new dwelling is currently a garage but, as part of the planning application, it is proposed this should be converted into an office, thus leading to the loss of one existing parking space at No 66.
5. During my site visit I observed significant levels of traffic in both directions, including commercial vehicles and buses. While this only represents a snapshot in time, it is apparent that this route is a main distributor (B184) between

Saffron Walden with Great Dunmow and so this is likely to be common, particularly at peak times. The local highway authority has objected to the proposal because it would not be possible for vehicles parked at either No 66 or the proposed new dwelling to turn onto, and then manoeuvre on the site, thus enabling them to drive back onto the B184 in a forward direction.

6. There are a number of instances on Newbiggen Street where there is insufficient room to turn cars on driveways. However, I note that access to a recent housing development on the opposite side of the road has no vehicle access fronting onto Newbiggen Street. This is provided instead from the rear, via Little Maypole. In addition, the location of the proposed widened access onto the appeal site is located directly opposite the junction of Clare Court. These factors, coupled with the level and type of traffic using the B184, suggest to me that vehicles reversing off the appeal site will increase the frequency of potentially hazardous situations on this stretch of Newbiggen Street.
7. Accordingly, I conclude that the development would harm highway safety. It therefore conflicts with saved policy GEN1 from the Uttlesford Local Plan 2005. This seeks, among other things, to ensure that only those developments providing safe access to the highway and where design does not compromise road safety should be permitted.

Parking provision

8. The Council have noted that the revised proposals to provide 5 parking spaces effectively overcome the second reason for refusal, although they note that the dimensions of the proposed spaces shown on the revised drawings (Ref Nos D12 and D13) fall short of the recommended dimensions of 5.5m x 2.9m at 5.5m x 2.5m.
9. A telegraph pole and stay wire obstruct the proposed widened footway crossing to the two parking spaces to the front of the proposed new dwelling. There is no indication before me that this is to be relocated. Accordingly, it appears on the evidence before me that the 2 new parking spaces serving the new dwelling could not be used effectively, thus increasing pressure for on-street parking on a main distributor road.
10. I note that the number of car parking spaces in the revised scheme would meet the required standard. While the width of the proposed spaces would fall below the recommended standard, this would not be to a sufficient extent to render them generally unusable for car parking. However, given that it is not demonstrated that the parking spaces could be accessed due to the telegraph and stay wire, I cannot be satisfied that the development would make adequate provision for parking having regard to the standard.
11. Accordingly, it follows that the resultant lack of useable off-road parking to serve the new dwelling would result in pressure for roadside parking on Newbiggen Street which would be harmful to the flow of traffic on this main distributor.
12. I conclude that the proposal would not make adequate provision for parking. It would therefore conflict with saved policy GEN1 from the Uttlesford Local Plan 2005. This seeks, among other things, to ensure that only those developments

providing safe access to the highway and where design does not compromise road safety should be permitted.

Conclusion

13. For the reasons stated above I dismiss this appeal.

David Carter

INSPECTOR