



Appeal Decision

Site visit made on 3 September 2019

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2020

Appeal Ref: APP/D0515/W/19/3231230

Land east of 2 Overstone Road, Coldham, Cambridgeshire PE14 0ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Jean Gledhill against the decision of Fenland District Council.
 - The application Ref F/YR17/118/O, dated 29 November 2017, was refused by notice dated 3 December 2018.
 - The development proposed is outline planning permission for the erection of a single two-storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Outline planning permission is sought with access to be considered at this stage. I have determined the appeal on this basis.

Main Issue

3. The main issue in this appeal is the effect of the development on the safe operation of the local highway network.

Reasons

4. The appeal site comprises the side garden of No 2 Overstone Road a semi-detached property set back from the adjoining highway behind a low hedge. The site is located on the B1101 close to a sweeping bend. There are no Traffic Restriction Orders in place along this section of the road and the speed limit is 40mph.
5. Nearby properties vary in terms of design and ages but most benefit from footway crossings and frontages that can accommodate vehicles. Boundary treatments vary along the road. The boundary treatment at the neighbouring property Santan Oaks comprises a low wall with taller brick piers.
6. For an adequate visibility splay to be achieved the existing boundary wall at Santan Oaks would have to be resited further into their curtilage. Santan Oaks is outside of the appellant's control and there is no substantive evidence before me to indicate that the wall would be resited. As such, the development would not achieve adequate visibility for occupiers when leaving the site by car due to the position and height of the boundary wall. The wall would obscure views for drivers in an easterly direction along the B1101 which would increase the

likelihood for collisions with oncoming vehicles taking into account the 40mph speed limit and the lack of control over on-street parking and measures to prevent it becoming more frequent which would consequently adversely affect highway safety, notwithstanding the infrequency of on street parking.

7. The speed survey and the stopping distances set out in the Highway Code do not alter my conclusion that the lack of visibility would harm highway safety. Whilst existing occupiers may well reverse onto the highway this is not a justification to allow a development that I have found to be harmful.
8. I conclude that the development would have an unacceptable impact on the safe operation of the adjoining highway contrary to Policy LP15 of the Fenland Local Plan (2014) which requires new development to provide well designed and safe access for all and adequate highway mitigation measures.

Conclusion

9. For the reasons set out above the appeal is dismissed.

B Thandi

INSPECTOR