



Appeal Decision

Site visit made on 10 March 2020

by Philip Major BA(Hons) DipTP MRTPI

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

Decision date: 16 March 2020

Appeal Ref: APP/W3710/W/19/3243217

2 New Street, Bulkington, Bedworth CV12 9RB

- 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 A Fletcher against the decision of Nuneaton & Bedworth Borough Council.
 - The application Ref: 036422, dated 21 May 2019, was refused by notice dated 5 November 2019.
 - The development proposed is the erection of a pair of semi-detached dwellings and associated parking.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the impact of the proposed development on highway safety.

Reasons

3. I note from representations that the fallback position in this case relates to a planning permission for a single dwelling on the same site. I do not have the details of that scheme but understand that it provided 2 parking spaces for a 3-bedroom house. The proposal before me, by contrast, proposes 4 parking spaces for 2 smaller dwellings.
4. The parking spaces themselves would be provided in tandem, producing what the highway authority refer to as captive parking when one vehicle blocks another. In many locations that does not cause an issue and it is a common occurrence in the locality of the site.
5. However, this particular site has specific locational attributes which make tandem parking difficult. It is close to a junction which operates with a roundabout, where approaching drivers would be expected to be concentrating on the junction. Vehicles manoeuvring into or out of the site could well be a distraction. In the event of a 'captive' vehicle being released there would be 2 such manoeuvres. I realise that the extant planning permission might have a similar difficulty, but in this case the frequency of manoeuvres could double because of the fact that there are now 2 dwellings proposed. I do not regard the proposed access as being inherently safe. Indeed in my judgement it would introduce a fundamentally unsafe and hazardous access on this stretch

of road. The fact that New Street is relatively wide here does not mitigate the safety hazard which would be created.

6. In addition I note that the drawings submitted indicate parking spaces which are relatively small and close together such that it would be difficult to actually park 4 vehicles in a satisfactory manner whilst being able to get into and out of the vehicles. This tight configuration would also make manoeuvring all the more difficult either into or out of the site. Added to that is the matter of pedestrian visibility, which is shown on the drawings as being achievable (I do not question visibility along the highway once a vehicle straddles the footpath) but this seems to be in part across the adjacent property, and I have no information about whether it can actually be achieved. Notwithstanding the representations submitted this latter point seems to be an unresolved matter which adds to my concerns (albeit not determinative in itself).
7. Taking these matters together, and acknowledging the fallback position, I am not satisfied that the proposal has been shown to be capable of implementation without undue detriment to highway safety, with particular reference to manoeuvring into and out of the site. The difference between the permitted scheme and that before me is enough for me to conclude that there would be a material increase in movements of a hazardous nature if the scheme for 2 dwellings were to be implemented.
8. I do not question that the appeal is located close to public transport and day to day facilities and is within easy reach of Bedworth. To that extent it is locationally appropriate. However, to be considered as sustainable development as set out in the National Planning Policy Framework (NPPF) the proposal should pay regard to the social strand of sustainability, which seeks to ensure that built development is well-designed and safe. In this case it is not, and I am satisfied that the lack of safety would run counter to the NPPF in this regard, as set out at paragraph 108 b). The access proposed is sufficiently undesirable that it can justifiably be rejected as having an unacceptable impact on highway safety. This conclusion is consistent with NPPF paragraph 109.
9. Although reference has been made to development plan¹ policy this primarily relates to design of built development and not highway safety per se. However it is clear that the design of the access in this case is unsatisfactory and it is therefore in conflict with the principles of Borough Plan Policy BE3. There is also conflict with the NPPF as set out.
10. Overall this proposal would be harmful to highway safety for the reasons set out above, and I therefore conclude that the appeal should be dismissed.

Philip Major

INSPECTOR

¹ Nuneaton and Bedworth Borough Plan