
Appeal Decision

Site visit made on 14 July 2020

by A Blicq BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 24 July 2020

Appeal Ref: APP/J0540/D/19/3231714

20 Peakirk Road, Glinton, Peterborough, Cambridgeshire PR6 7LT

- 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 William McFarland against the decision of Peterborough City Council.
 - The application Ref 19/00260/HHFUL, dated 12 February 2019, was refused by notice dated 4 April 2019.
 - The development proposed is dropped kerb.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The evidence before me indicates that a concern has been raised by the occupiers of 22 Peakirk Road (No 22) with regard to noise and disturbance. I have concluded that it is appropriate for me to consider this as a main issue. I am satisfied that the main parties would not be prejudiced by its inclusion in my reasoning.

Main Issues

3. The main issues are the effect of the development on:
 - The living conditions of occupiers of No 22 with particular regard to noise and disturbance; and,
 - Highway safety.

Reasons

Living conditions

4. The appeal is concerned with the provision of a vehicular access to the frontage of 20 Peakirk Road (No 20). Number 20 is a semi-detached dwelling of modest width and the access would be located directly beside the boundary hedge with No 22. Vehicles using the access would be manoeuvring close to that boundary and what appears to be the window to a habitable room at No 22. This would cause additional noise and disturbance for occupiers of No 22.
5. I conclude that the development would be detrimental to the living conditions of occupiers of No 22. Although the Council has not cited any policies in this regard, this would be contrary to Paragraph 127 of the National Planning Policy

Framework which requires development to create places that have a high standard of amenity for existing and future users.

Highway safety

6. The highway authority has noted that a significant number of collisions occur at domestic access points. However, although a figure of 3,264 collisions in Great Britain in 2017 is cited, there is nothing to indicate what proportion of the total number of collisions this represents, or whether underlying geometry or road conditions were also factors in those collisions. As such I give this statistic limited weight. Moreover, the development would not represent intensified use of the plot. Vehicles exiting or entering No 20 at the front would otherwise be using the junction at Clarendon Way, a few metres away.
7. Having reviewed the size of No 20's frontage I am satisfied that there would be adequate space for turning within the plot.
8. With regard to visibility, the highway authority has not indicated what appropriate visibility splay dimensions would be. The wide grassed road verge, together with the footway, appears to give adequate visibility in front of No 22's front hedge.
9. I concur with the highway authority that a front access would appear to be unnecessary. However, there is insufficient evidence before me to conclude that the proposed access would be detrimental to highway safety.
10. As such, I conclude that the development would not have an adverse effect on highway safety and would not be contrary to Policy PP12 of the Local Plan which is concerned with safe and sustainable access, and highway safety.

Other matters

11. Number 20 has a large flat hardstanding at the rear accessed from Clarendon Way. This was occupied by several vehicles at my visit. It appears to extend some way towards the dwelling and it seems to me that vehicles could get quite close to the dwelling's rear. I appreciate the arguments advanced in relation to mobility issues and have given those arguments due regard, as required by the Equality Act 2010 and the Public Sector Equality Duty. However, there is no medical evidence before me to indicate why rear access would be unsuitable or why the existing rear hardstanding could not be extended or arranged such that direct access at the rear was available.
12. I appreciate that No 20 is unusual in that it does not have vehicular access at the front but it is on a corner plot. There is vehicular access at the rear which is in use, and which could give direct and level access to the dwelling.

Conclusion

13. In the light of the above, I conclude that the appeal should be dismissed.

A Blacq

INSPECTOR