
Appeal Decision

Site visit made on 18 August 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 September 2020

Appeal Ref: APP/A3010/W/20/3250476

12 High Street, Misterton DN10 4BU

- 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 Mr Shane Woollas against the decision of Bassetlaw District Council.
 - The application Ref 19/01528/OUT, dated 27 November 2019, was refused by notice dated 22 January 2020.
 - The development proposed is one number detached dormer property as detailed on accompanying drawings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is submitted in outline form with all matters reserved for later consideration. Therefore, whilst plans have been submitted suggesting how a dwelling could be accommodated on the site, these have been provided for indicative purposes only.

Main Issue

3. The main issue relates to whether the proposed dwelling would be provided with access to the public highway.

Reasons

4. The appeal submission shows that the proposed development would be sited adjacent to Old Forge Close and that it is intended that it would be accessed from this road. However, Old Forge Close is a private road and the plans defining the application site include no connection along it to Church Drive, which is the nearest adopted public highway. No alternative method of accessing the appeal site from an adopted public highway has been shown on the plans submitted.
5. The Planning Practice Guidance states at Paragraph: 024 Reference ID: 14-024-20140306 that the application site should be edged clearly with a red line on the location plan and that this should include all land necessary to carry out the proposed development (eg land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).

6. The details submitted with the appeal proposal do not meet with this requirement and there is a failure to include all land necessary to carry out the proposed development within the application site. As a result of this, inadequate information has been supplied to demonstrate how the proposed dwelling would be provided with an access to the public highway and what specific form it would take. Without this information, it is not possible to conclude that the proposed development would have a means of access per se, and one that would not result in harm, including with respect to highway safety and the surrounding highway network.
7. Accordingly, on the basis of the information that has been submitted, the proposal would fail to accord with Policy DM4 of the Bassetlaw Core Strategy & Development Management Policies DPD 2011 where it seeks to ensure that new development is accessible and is not detrimental to highway safety. There would also be conflict with the National Planning Policy Framework, in particular where it seeks to ensure that a safe and suitable access to development sites can be achieved for all users.

Other Matters

8. The appellant refers to a number of matters which they consider offer support to the proposal. However, none of these considerations address the fundamental matter which forms the main issue of this appeal and on which the appeal must fail.

Conclusion

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

Graham Wraight

INSPECTOR