



Appeal Decision

Site visit made on 16 February 2021

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2021

Appeal Ref: APP/L2820/W/20/3259898

79/81 Rockingham Road, Kettering, Northamptonshire NN16 8LA

- 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 Edgars Nespors against the decision of Kettering Borough Council.
 - The application Ref KET/2020/0249, dated 3 March 2020, was refused by notice dated 9 September 2020.
 - The development proposed is described as: 'I want to drop a kerb in front of my house (81 Rockingham Rd) it is a semi-detached house. Other side (79 Rockingham Rd) is owned by my brother Elvijs Nespors. We want to drop a kerb between our house for our vehicles to allow to cross the pavement from the road (Rockingham Rd) to a carpark in front of a house'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on highway safety.

Reasons

3. The appeal relates to the garden fronting a pair of semi-detached dwellings, 79 and 81 Rockingham Road ('A6900'). The proposal is for the provision of two parking spaces, one for each dwelling on the front garden, and the creation of a vehicular access off the A6900.
4. Although the proposed access is along a straight section of the A6900, during my visit it was busy with vehicular and pedestrian traffic. While my visit only represents a snapshot in time, it was during a period of enforced lockdown due to the Coronavirus pandemic. This suggests that this road is likely to be busier at other times. Moreover, this road forms part of the Strategic Route Network ('SRN') and the local highway authority aims to ensure that any proposed new access along this, will only be allowed in exceptional circumstances, and where it can be demonstrated that the delay to the strategic route will be minimal. Therefore, on-site turning facilities are essential to mitigate the effects of vehicles reversing on the SRN.
5. The front garden to the appeal site is large enough to accommodate two vehicles. Notwithstanding this, no parking layout is provided. Therefore, and irrespective of the submitted evidence which includes photographs, I cannot be

- certain that a vehicle would be able to access, turn within the site and leave in a forward gear while another vehicle is parked at the site.
6. The vehicular visibility splays from the proposed vehicular access fall short of the Council's requirements and while reduced visibility splays maybe acceptable, for example where there is evidence that the 85thile speeds are less than 30mph, in this case, no such evidence has been provided.
 7. Based on my observations it would appear that there is sufficient space within the site to provide the required pedestrian visibility splays of at least 2.0m x 2.0m to each side of the proposed vehicular access. Nevertheless, for the above reasons, a vehicular access in the proposed location is likely to result in vehicles having to reverse on the SRN. This, along with insufficient vehicle to vehicle visibility would create a potential point of congestion and conflict between emerging vehicles, resulting in increased danger and reduced highway safety for pedestrians, cyclists, and drivers.
 8. Consequently, the proposal is contrary to Policy 8(b) of the North Northamptonshire Joint Core Strategy. This requires new development to have a satisfactory means of access, provide for parking, servicing, and manoeuvring to adopted standards, and not to have an adverse impact on the highway network nor prejudice highway safety.

Other matters

9. Concerns raised by the appellant over how his planning application was processed, are for the Council. While I understand that it may have been difficult for the appellant to get advice on visibility splays due to the Coronavirus pandemic, this does not alter my findings on the main issue.

Conclusion

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

M Aqbal

INSPECTOR