



Appeal Decision

Site visit made on 4 May 2021 by Darren Ellis MPlan

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2021

Appeal Ref: APP/P3040/D/21/3268834

Chestnut Farm, Bunny Hill, Bunny, NG11 6QQ

- 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 S Finch and Ms J Harrison against the decision of Rushcliffe Borough Council.
 - The application Ref 20/02010/FUL, dated 17 August 2020, was refused by notice dated 10 December 2020.
 - The development proposed is to create new vehicular access.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in the appeal is the effect of the proposal on highway safety.

Reasons for the Recommendation

4. The appeal site comprises a two-storey dwelling that is set back and well screened from the A60. The property is currently accessed by a vehicular access from the A60 that is shared with the adjacent property Hillside Farm. The proposal seeks permission to create a separate vehicular access from the A60 to solely access Chestnut Farm in close proximity to the existing access.
 5. The A60 at this location is single-carriageway and has a 50mph speed limit. During my site visit, whilst only a snapshot in time, I observed vehicles that were travelling along the road were doing so at speed, and no evidence has been provided to substantiate that this is not normal. Furthermore, the appellants acknowledge that vehicles travel above the speed limit. There is no street lighting within the vicinity of the appeal site and the road has a pavement on the opposite side of the road to the access. The northbound carriageway has a solid white centreline at both the existing and proposed accesses. The southbound carriageway has a broken white centreline with arrow markings to alert drivers of a change to a solid white line, which happens a short distance to the south of the proposed access.
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6. The proposed vehicular access would be sited on the outside of a bend on the road, which would allow drivers exiting the proposed access a good view of oncoming traffic in both directions. However, the introduction and use of the new access would be likely to result in potential conflicts between vehicles on the road, such as when vehicles stop in the road to turn right into the access at a similar point in the road where vehicles may also be slowing down and stopping to use the existing access. Such manoeuvres are likely to cause sudden braking on this stretch of fast road which would increase the risk of collision.
7. Moreover, whilst the number of vehicle movements associated with the occupiers of the respective dwellings would be unlikely to change, daily delivery vehicles such as the postal service would have to turn into and out of both accesses. This increase in manoeuvres would consequently pose a threat to highway safety, particularly if the vehicle is turning right into the junction or pulling out slowly into the road.
8. I note the low incidence of accidents within the vicinity of the site and the presence of parking elsewhere on the A60, however this data is based on the existing circumstances and not the proposed. It does not provide justification for the appeal proposal.
9. The appellants claim that the proposal would improve highway safety, given the narrow width of the existing access and the position of the access gates close to the road. From what I saw this access is wide enough at the entrance to the road for a vehicle to turn in and wait whilst another exits the access. Moreover, the appellants' Accompanying Highway Report refers to an approved redevelopment of Hillside Farm which would include improvements to the existing access. Accordingly, these matters do not outweigh the harm to identified above. I note the alleged difficulties in using the current access when the owners of Hillside Farm change the code for the gate. However, this is a private matter and is not a planning consideration.
10. For the reasons above I conclude that the proposal would have an unacceptable impact on highway safety. A safe and suitable access to the site would not be provided which would conflict with Policy 1 of the Rushcliffe Local Plan Part 2 (October 2019) which requires, amongst other things, for a suitable means of access to be provided without detriment to highway safety. There would also be conflict with the safety objectives of the National Planning Policy Framework and paragraphs 108 and 109 of the Framework.

Other Matters

11. The site falls within the Green Belt, however the Council consider that the proposal would not constitute inappropriate development in the Green Belt. Based on the evidence before me I have no reason to conclude otherwise.

Conclusion

12. For the above reasons and having regard to all other matters raised I conclude that the development is contrary to the development plan when taken as a whole. There are no material considerations to suggest a decision other than in accordance with the development plan. I recommend therefore that the appeal should be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

RC Kirby

INSPECTOR