



Appeal Decision

Site visit made on 27 July 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2021

Appeal Ref: APP/V2825/W/21/3271723

585-587 Harlestone Road, Northampton NN5 6NU

- 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 & Mrs J Singh & S K Nanda against the decision of Northampton Borough Council.
 - The application Ref N/2020/1045, dated 26 August 2020, was refused by notice dated 12 January 2021.
 - The development proposed is the erection of a new dwelling and alterations to existing access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have substituted the description of development in the banner above for that used by the Council in their Decision Notice, as it describes the development more precisely. I note that the Appellant has used the same description in their appeal form.
3. The Council have raised no objection to the nature of the new dwelling and have concentrated on the highway aspects of the development. I have no reason to disagree with that assessment and therefore I will only deal with the highway issues in my report.

Main Issue

4. The main issue in this appeal is the effect of the development on highway and pedestrian safety.

Reasons

5. The appeal site is to the rear of an existing retail unit, and is an overgrown garden area, bounded by fencing on three sides.
6. It is proposed to erect a single dwelling, with access taken from an existing private road that serves five dwellings off Harlestone Road. The dwellings all have two parking spaces allocated in parking areas on this private road and the appeal proposals identify three spaces to serve the dwelling within the appeal site.

7. I understand that the access road for the existing properties was not built in accordance with the approved plans, but is now immune from enforcement by the Council on account of the passing of time. Therefore, the access is below Council standards in terms of width requirements for pedestrians and vehicles and for pedestrian visibility.
8. There is a specific policy (DM15) that restricts the number of dwellings served by a private access to five. The Highways consultee has objected on this basis, adding the fact that the access is already below standards.
9. The appellants statement seeks to issue a rebuttal of this position, stating that the access is capable of allowing two cars to pass and that the visibility with the revised bell mouth access proposed would deal with the issues of highway and pedestrian safety. In addition to this, they seek to question the potential harm that another dwelling using the access would cause.
10. From my site visit, it is apparent that there are issues with the existing access. I noted that the access road has a fence to both sides, so there is no room for any additional width to be given to bring the width up to standards. I also saw that the retail unit to the front encourages parking on the main road, which also has an effect on pedestrian and vehicle visibility and also block and obstruct the access.
11. Harlestone Road to the front is designated as an A road and was certainly busy at the time that I visited. It has a speed limit of 40mph at that point, and even with the width of the pavement, I could ascertain that residents would have some difficulties in exiting the access road and would certainly be a highway safety issue.
12. The provision of a bell mouth to the access as part of the proposals does not convince me that the issue of highway and pedestrian safety would be addressed to a level that would be less than severe. Two-way traffic would still remain an issue for the users of the access, as would access onto the main road, and the parking of vehicles from users of the retail shop.
13. An additional dwelling, with the potential for three additional vehicles, would only exacerbate the problems. As a result, I find the proposals are contrary to Policy DM15 of the Northamptonshire Highway Development Management Strategy (2013) which does not allow more than 5 properties to be served off a shared private drive and the guidance set out in the National Planning Policy Framework that relates to transportation and highway safety (Paragraphs 110 to 113)

Other Matters

14. The appellants have brought to my attention another scheme, where more than five units have been allowed off a private access. I have been supplied some details of this scheme, and it is located in another area, and the development and highway context is totally different and parallels cannot be drawn between the two schemes. I have appraised this scheme on its own merits and identified harm accordingly. I therefore give this negligible weight.

Conclusion

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

Paul Cooper

INSPECTOR