



Appeal Decision

Site visit made on 19 October 2021

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 OCTOBER 2021

Appeal Ref: APP/P0240/D/21/3274656

1C High Street, Langford, Biggleswade, SG18 9RP.

- 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 R Simpson against the decision of Central Bedfordshire Council.
 - The application Ref. CB/21/00127/FULL, dated 7th January 2021, was refused by notice dated 1 March 2021.
 - The development proposed is the creation of a new vehicular access for car parking to the dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Background

3. The appeal site comprises a semi-detached house which fronts the High Street (B659) near the centre of the village of Langford. There is a surfaced forecourt to the front and an open boundary to the pavement. It is proposed to create a new access to the highway and use the forecourt for parking. The adjoining property No.1b has an access to the highway and a front parking area enclosed by a brick wall. The site lies within the 30-mph zone and there are on street parking restrictions outside of the site but designated on street parking spaces opposite the site.

Effect on highway safety

4. The Council and the highway authority refer to the national guidance in Manual for Streets¹ which indicates that when travelling at 30mph the standard stopping distance is 43m. This translates to a need to have visibility spays of 43m when considering a new access to a highway of this nature. The Council says that the available splays on site are substantially below this standard comprising 24m to the north (left) and 20m to the south (right) when exiting the proposed access.

¹ Manual For Streets - Department for Transport, 2007

5. At the site visit I noted that visibility to the left of the proposed access is restricted by the presence of the building at No.3, the flank wall of which abuts the highway, and to the right where the brick wall around the frontage of the neighbouring property at 1b is situated. The submitted layout plan shows an 'achievable vision splay' which meets the recognised standard, but this splay utilises land not in the appellant's control and therefore this visibility cannot be guaranteed in perpetuity. In any event the existing brick flank wall is over one metre high, and this would restrict the normal view of a driver northwards when exiting the proposed access. I therefore cannot place any weight on this potential view, and it is clear to me that the proposal does not meet the normal standard of visibility to ensure safe access to the highway.
6. The appellant suggests that if the High Street was made a 20mph zone the appropriate lesser standard of visibility would be met but the appeal has to be considered on the present circumstances. Moreover, the appellant says that traffic speeds outside of the site will be lower than elsewhere in the High Street as there is a roundabout to the north which vehicles have to slow to or speed up from. However, there is no proper data before me to verify the mean traffic speed and my observations at the site visit did not suggest to me that traffic speeds were significantly lower than 30mph.
7. I have taken account of the fact that most surrounding properties to the appeal site have an access to the High Street and some with very limited visibility but these appeared to me to be long standing. I also appreciate that having a residential property with no direct vehicle access for parking on site would be likely to cause the occupiers some hardship.
8. Nevertheless, I find that the visibility for the proposed access would be so limited that there would be a clear harmful effect on road safety. The proposal therefore conflicts with Policy T2 of the Central Bedfordshire Local Plan. This harm and policy conflict are not outweighed by any other factors.

Conclusion

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

David Murray

INSPECTOR