



Appeal Decision

Site visit made on 8 December 2021

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 23 DECEMBER 2021

Appeal Ref: APP/X1925/W/21/3281137

33 Bearton Road, Hitchin SG5 1UE

- 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 Francesco Benucci against the decision of North Hertfordshire District Council.
 - The application Ref 21/01850/FPH, dated 25 May 2021, was refused by notice dated 17 August 2021.
 - The development proposed is installation of vehicular crossover.
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Decision

1. The appeal is allowed and planning permission is granted for installation of a vehicular crossover at 33 Bearton Road, Hitchin SG5 1UE in accordance with the terms of the application, Ref 21/01850/FPH, dated 25 May 2021 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2021-21-PL-100 (Existing & Proposed Block Plans, Site Location Plan).

Preliminary Matters

2. During the determination of the application, the council changed the description of development to include only those elements requiring planning permission. I have therefore used the description of development as shown on the decision notice.
3. The officer's report of 17 August 2021 refers to Section 9 of the National Planning Policy Framework (2019) (the Framework). In July 2021, an updated version of the Framework was published and consequently, I refer to the latest version in my decision.

Reasons

4. I consider the main issue to be whether the proposal would result in harm to the safe operation of the public highway.
5. The appeal site is located on a residential street known as Bearton Road. It is characterised by Victorian dwellings, most of which are largely terraced or, as in the case of the appeal site, semi-detached. As a result, there is a high demand for on-street car parking, which appears to be easily accommodated

- on both sides of the road, as a result of a generous carriageway width. The appeal property, No.33, has a small front garden area, which has been paved, and is enclosed by a low brick wall and railings, with access gained via a pair of metal pedestrian gates.
6. At the site visit, I noticed a number of other neighbouring dwellings (particularly No's 34, 35, 36 and 37) had installed vehicle crossover points to provide off-street car parking, together with a number of properties on the other side of the road. In each case, I did not observe that any had sufficient space to turn a car and exit in a forward gear.
 7. I also noticed 20 mph speed limit repeater signs along the length of Bearton Road. It is not clear whether these had been recently installed, as the officer's report referred to a speed limit of 30mph. Nevertheless, Bearton Road is a well-used thoroughfare, which may be the reason for the reduced speed limit.
 8. The highways authority, Hertfordshire County Council, in their response to the application, set out that proposals for vehicle cross overs 'on busy high-speed roads' will only be permitted in cases where vehicles can turn 180°, allowing access onto the highway in a forward gear. This clearly cannot be achieved at the appeal site, and the appellant acknowledges this. That said, I am not convinced that the appeal site is located on a particularly high-speed road, and there is nothing in the evidence to suggest that vehicle speeding is a problem now, even if it has been historically.
 9. I agree that there could be some potential for a vehicle emerging from a front driveway serving the appeal property to be a potential safety hazard, particularly in light of how busy the road appears to be. However, it seems to me that this would be no different to that posed by the equally shallow driveway crossovers serving No's 34-37 as well as other properties along Bearton Road.
 10. Such vehicle movements are relatively infrequent and undertaken at very low speeds. Having regard to the appellant's statement, I consider there to be a strong likelihood that drivers are more likely to leave the driveway in a forward gear, having first reversed onto the driveway. Based on what I observed during the site visit, a number of neighbouring occupiers were already doing this.
 11. I note the intention of the appellant to install an electric car charging point. It would be very difficult to charge an electric car at home without a driveway as any cabling would have to cross a pedestrian footway. Whilst this is more of a private benefit, I consider there to be some weight in favour of the proposal where the move to electric cars is clearly a national priority and would positively impact on air quality as well as reducing the use of fossil fuels.
 12. Notwithstanding this, there is no evidence before me that the addition of a crossover would materially harm or undermine the highway safety of users of Bearton Road, particularly in light of the number of crossovers already in use along this stretch of the road.
 13. Consequently, I do not find harm to the relevant parts of section 9 of the Framework (2021), nor policy 5 (Development Management) of the Local Transport Plan 4 (2018), which seeks access arrangements are safe and suitable for all people. Nor do I find harm to policy T2 (Parking) of the North Hertfordshire Proposed Submission Local Plan 2011-2031 (2018), as amended

by Main Modifications, which seeks parking arrangements that are safe and functions satisfactorily.

Conditions

14. For the purposes of certainty and in the interests of proper planning, I have imposed planning conditions requiring the development to be carried out within a set timescale and to the approved plans.

Conclusions

15. For the reasons given and having regard to all other matters raised, the appeal is allowed, subject to the conditions set out above.

Sian Griffiths

INSPECTOR