



Appeal Decision

Site visit made on 5 April 2022

by Helen Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: Friday 6 May 2022

Appeal Ref: APP/J3720/W/21/3284807

279 Alcester Road, Stratford-Upon-Avon CV37 9JG

- 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 Miss Stephanie Day against the decision of Stratford-on-Avon District Council.
 - The application Ref 21/01376/FUL, dated 23 April 2021, was refused by notice dated 26 July 2021.
 - The development proposed is described as “dropped kerb for access to dwelling from Alcester Road.”
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on highway safety and the character and appearance of the area.

Reasons

3. The appeal site comprises a semi-detached dwelling, located on Alcester Road. 279 Alcester Road (No 279) is set back from the highway behind a large gravelled front garden. Permission is sought for a dropped kerb off Alcester Road, to give access to the front of No 279.

Highway Safety

4. Alcester Road is a busy A class highway. The site is located in close proximity to a point on the highway where the traffic lane merges into 2 lanes. At this point the traffic is also approaching a signalised crossroad junction. This means that traffic will need to manoeuvre into the correct lane when approaching the junction. As such, motorists would be more focused on their next manoeuvre than vehicles entering and exiting the access.
5. From my observations on site, and having considered the response from the Highways Officer, it is clear to me that the proposal raises concerns about the ability of vehicles to enter and egress the site safely in a forward gear from the highway.
6. A vehicle slowing down to first gear to enter the proposed driveway would lead to vehicles behind it on the highway slowing down and even stopping while waiting for the vehicle to enter the driveway. There is insufficient space on the site to enable the turning of a vehicle to enter and exit the site in a forward gear, particularly if more than one vehicle is parked on the driveway area.

Reversing out of the site onto the highway across two pedestrian/cycle pathways would be hazardous to both pedestrians, cyclists, and other road users. The mature hedgerow would restrict the visibility from the driveway to approaching pedestrians, cyclists and vehicles. Therefore, there would not be adequate time to react to oncoming users of the highway when reversing from the driveway. This would lead to an increased risk of collision.

7. Consequently, the proposal would result in an unacceptable impact on highway safety.
8. For the above reasons, the proposal would unacceptably harm highway safety. As such, it would not comply with Policy CS.26 of the Stratford-on-Avon District Core Strategy (2016) (CS), which, amongst other things, seeks to ensure new developments do not cause unacceptable levels of highway safety. It would also fail to accord with Policy CLW5 of the Stratford-upon-Avon Neighbourhood Development Plan (2018), which does not support proposals that adversely affect existing walking and cycling routes.
9. In addition, the proposal would also fail to accord with the National Planning Policy Framework (para 110), which seeks to ensure that safe and suitable access to the site can be achieved for all users.

Character and Appearance

10. The site is located within a row of traditional dwellings to the south side of Alcester Road. The dwellings are set back from the road with front gardens adjacent to a public footpath, grass verge with hedgerow, and a cycleway. The hedgerows are the predominant boundary treatment for the row of dwellings and are a distinctive feature along Alcester Road frontages in the wider area. The hedgerows make a positive contribution to the character and appearance of the street-scene.
11. Although the hedgerow fronting the appeal site has been partially removed, the proposal would require further removal of hedgerow to provide sufficient visibility for the proposed vehicular access to No 279. This would result in a significant alteration to the established character of this part of the street-scene and would appear at odds with the wider area. The proposal would also cause harm to the grass verge that separates the public footpath from the cycle lane and road in front of No 279.
12. Consequently, the proposal would have a harmful visual impact on the character and appearance of the area and is therefore contrary to Policy CS.9 of the CS (2016), which, amongst other things, seeks to ensure new development proposals reflect the character and distinctiveness of the locality.

Other Matters

13. It is acknowledged that there may be some benefit of providing on-site parking to the front of No 279, including the ease of accessing the property, such as for children, people with limited mobility, and for heavy deliveries. However, these factors do not outweigh the harm that has been identified to highway safety and the character and appearance of the area.
14. My attention has been drawn to photographic evidence of other properties within the area that have vehicular access from a public highway. However, for the reasons above, the proposal would be detrimental to highway safety. I

have determined this appeal on its own merits and the appeal site's specific relationship to the highway.

15. Although there may be incidences of inconsiderate parking on the main road and slip road near to the site, this does not weigh in favour of the proposal and certainly does not outweigh the harm that has been identified.

Conclusion

16. The proposal conflicts with the development plan when considered as a whole, and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
17. For the reasons given above, I conclude that the appeal should be dismissed.

Helen Smith

INSPECTOR