



Appeal Decision

Site visit made on 18 May 2022

by D J Barnes MBA BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2022

Appeal Ref: APP/W0530/D/22/3294178

North Farmhouse, Long Lane, Fowlmere SG8 7TG

- 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 Mrs Imogen Collis against the decision of South Cambridgeshire District Council.
 - The application Ref 21/04874/HFUL, dated 7 November 2021, was refused by notice dated 21 December 2021.
 - The development proposed is the construction of a new vehicular access onto Long Lane.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a new vehicular access onto Long Lane at North Farmhouse, Long Lane, Fowlmere SG8 7TG in accordance with the terms of the application, Ref 21/04874/HFUL, dated 7 November 2021, subject to the conditions identified in the attached Schedule to this decision.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the safety of other highway users.

Reasons

3. The proposed development is the construction of a vehicular access to North Farmhouse from Long Lane. The appeal scheme would provide an alternative access to the appeal property rather than using an existing agricultural access.
4. A previous application for a similar proposal was refused by the Council (Ref 21/0818/HFUL). The reason for refusing the previous scheme was because of a lack of information concerning suitable parking and turning provision to ensure vehicles entered and exited the property in forward gear. This varies from the reason for refusal for the proposed development whereby the need for another access has been questioned by the Council. However, although the need has been questioned, the appeal has been determined based upon the planning circumstances of the proposed development.
5. Within the front garden of the property there is an extensive surfaced area. As demonstrated by the appellant's evidence, this area would be capable of accommodating the required space to both park vehicles and enable them to turn around to enter or exit the property in forward gear.

6. The property forms part of a group of buildings which are sited either side of Long Lane. There are already vehicular accesses to these buildings from the road, including via Moor Lane which has a junction with Long Lane on the opposite side of the carriageway from the property. Some of these accesses are adjacent to one another but this can be expected in circumstances where buildings are sited close together.
7. The available records do not indicate that the movements associated with the accesses is the source of the single recorded accident. Further, the number of buildings and associated traffic movement is not such that there would be a high frequency of vehicular movements occurring at the same time from each of the accesses. An additional access within this group of buildings would not materially change this situation.
8. The appeal scheme would create another access to Long Lane but it would not lead to an increase in the overall number of movements generated by the existing group of buildings. Instead, the existing movements associated with the host property would be displaced from the existing agricultural access to the proposed access.
9. The speed limit along this part of Long Lane is 30mph. By reason of the change from the national speed limit being immediately to the west of the property, during the site visit it appeared that vehicles travelled in excess of 30mph as they slowed down or accelerated. However, it was also observed that vehicles could enter and exit the accesses associated with the neighbouring buildings in forward gear without representing a danger to highway safety. The speed of traffic along the road was not observed to be a significant impediment to these movements occurring.
10. Although part of the hedge fronting Long Lane would need to be removed to enable the appeal scheme to be constructed, drivers exiting the proposed access would have appropriate visibility splays in both directions to be seen by other drivers exiting the property. Equally, the drivers of vehicles travelling along the road would see a vehicle exiting the proposed access.
11. For the reasons given, it is concluded that the proposed development would not cause unacceptable harm to the safety of other highway users and, as such, it would not conflict with general access and parking requirements of Policy HQ/1 of the South Cambridgeshire Local Plan 2018. Further, it is concluded that the appeal scheme would provide a safe and suitable access to the property and would not give rise to a significant impact on highway safety which would conflict with paragraph 110 of the National Planning Policy Framework (the Framework).

Conditions

12. The Council has suggested several conditions in the event this appeal succeeds which have been assessed against the tests in the Framework and the Planning Practice Guidance. Where appropriate the conditions have been amended for reason of precision.
13. For reasons of highway safety, conditions are necessary to ensure that the appeal scheme is constructed in accordance with the submitted drawings and in a manner which prevents surface water run-off and loose material encroaching onto the road. There is a lack of precision about what the Cambridgeshire

County Council construction specification comprises and whether it is of direct relevance to planning or is another approval which may be necessary for the Highway Authority. For this reason, a condition referring to such a specification is not considered necessary. To maintain the character and appearance of the road frontage, a condition is necessary to secure replacement planting.

14. Accordingly, and for the reasons given, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR

Schedule of 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: IG01 and IG03.
- 3) The development hereby permitted shall be constructed so that its falls and levels are such that no surface water from the parking and manoeuvring area discharges to the carriageway of the adopted highway. The falls and levels shall be retained thereafter.
- 4) When measured from the edge of the carriageway of the public highway, for the first 5 metres the surface of the proposed development hereby permitted shall be constructed using a bound material and this surface shall be retained thereafter.
- 5) Prior to the removal of any trees or hedges fronting Long Lane, details of replacement soft landscape works and its management shall be submitted for approval in writing to the local planning authority. The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use or in accordance with an agreed implementation programme. The landscaping shall be managed in accordance with an approved scheme of management.