



Appeal Decision

Site visit made on 18 October 2022

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 November 2022

Appeal Ref: APP/A3010/W/22/3300166

Land to the Rear of Nos.73 To 81 Scrooby Road, Bircotes DN11 8JN

- 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 Sam Price against the decision of Bassetlaw District Council.
 - The application Ref 21/01069/COU, dated 3 July 2021, was refused by notice dated 3 March 2022.
 - The development proposed is described as: 'Proposed Use of Land for the Siting of Caravans/Mobile Homes'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon highway safety.

Reasons

3. The appeal site is an undeveloped parcel of land located to the rear of a row of commercial properties that front Scrooby Road. These are primarily a mix of hot food takeaway and retail premises. The site is accessed via a rear access lane that provides service access to a variety of rear yards, car parks and storage areas servicing those properties. The lane is accessed from Grosvenor Road between two commercial units. The lane is reasonably wide and also appears to serve several outbuildings associated with residential properties located along Alexandra Road to the north.
4. The width of the lane narrows towards the appeal site, the entrance to which lies adjacent to an electricity sub-station that is partly enclosed by a tall fence. Whilst partly hardsurfaced, there are sections that are unmade, particularly close to the access with the appeal site. The access appears to be unlit for the majority of its length.
5. The appellant states that the appeal site also has a right of access directly from Scrooby Road, although this is not included within the application site. This uses the access alongside 67 Scrooby Road that serves the car park to the rear of two commercial units (67A and 67B Scrooby Road) before accessing the gravelled area to the front of Primrose Bungalow and entering the south western corner of the appeal site from here.
6. The nine caravans would be arranged around a central access road which would extend for much of the length of the appeal site. A footpath would be created to the southern edge of the appeal site to link into the right of access

to Scrooby Road referred to above. The appellant states that the proposal would be for modestly sized caravans that, in this location, *'would be most likely to be suited to the older person market'*.

7. Policy DM4 of the Bassetlaw Local Development Framework (2011) (the LDF) requires that new development ensures accessibility for all and avoids a detrimental effect on highway safety. Similarly, the National Planning Policy Framework (the Framework) sets out at paragraph 110 that, when assessing applications for development, it should be ensured that amongst other things, safe and secure access can be achieved for all users. Paragraph 112 states that applications for development should create places that are safe, secure and attractive which minimise the potential for conflict between cyclists, pedestrians and vehicles.
8. In terms of accessing services from the caravans on foot, the appellant expects that future residents would primarily use the footpath that would be created on the appeal site. This would involve walking down the length of the caravan site road, before accessing the proposed footpath running along the majority of the width of the site, and then passing in front of Primrose Bungalow. Residents would then be required to turn down the access road past the service yard and car park to the rear of No 67A and No 67B.
9. This would amount to a relatively convoluted route to access the services or public transport available along Scrooby Road. It would also be unlit and include a variety of different surfaces. Taking into account these shortcomings, such a route is unlikely to be an attractive prospect for future occupants of the caravan site, particularly after dark. Moreover, the route is likely to appear particularly unwelcoming to older residents, the demographic to which the appellant anticipates the development would be most suited.
10. Furthermore, the alternative route along the rear access lane towards Grosvenor Road, whilst wider and perhaps more direct, is equally unlit without a footway and a surface that is unmade in places. Pedestrians would have to pass by the high number of rear service yards. As such, for future occupants of the proposed caravans, this lane is unlikely to be an appealing route to or from their homes. Again, this is likely to be particularly unattractive to residents after dark and for older residents or those with mobility problems. Nevertheless, having regard to the above, this would not be overcome by simple resurfacing the lane.
11. I have had regard to the appellant's figures relating to the existing use of the lane. It serves some 30 properties including some residential flats. However, the proposal would lead to an additional nine households, bringing about a significant increase in the number of pedestrians and vehicles using the lane. This would increase the potential for conflict between pedestrians and vehicles accessing the service areas, in an area that is unlit and without any footway, adversely affecting highway safety. As the lane is clearly a means of accessing service yards to the rear of around 20 commercial premises, drivers of commercial vehicles accessing the service yards are unlikely to expect frequent use by pedestrians travelling to and from their homes. This is likely to increase the potential for conflicts to occur.
12. For the above reasons, the proposal would not achieve safe and suitable access for all users and would increase the potential for conflict between pedestrians and motor vehicles, adversely affecting highway safety. The proposal would

therefore conflict with Policy DM4 of the LDF and paragraphs 110 and 112 of the Framework.

13. The Council has referred to paragraph 124 of the Framework which, with regard to the main issue, does not add anything that is not covered by the above sections of the Framework.

Other Matters

14. I accept that the proposal would represent residential development in an area reasonably close to other residential properties, particularly those on Grosvenor Road. The appellant has referred me to Policy 7 of the Harworth and Bircotes Neighbourhood Plan (2015) (the NP). This seeks to encourage housing schemes for those with mobility issues, especially for retirement housing, within five minutes' walk from the identified town centre boundary. However, I am not convinced that the proposed housing would be suitable for those with mobility issues, given the convoluted route to and from the caravans. Nevertheless, I note that neither the support for new housing or development with positive outcomes in the NP, LDF or the Framework is unconditional.
15. In its delegated report the Council state that the proposal would generally be out of keeping with the character and appearance of the area and that it may result in an adverse impact upon the visual amenity of the locality. This is not included in their reasons for refusal. This is also an issue raised in the objection letters from local residents. However, given my conclusions on the main issue, it has not been necessary for me to consider this matter any further.

Conclusion

16. For the reasons given above, having considered the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR