
Appeal Decision

Site visit made on 4 January 2023

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 26th January 2023

Appeal Ref: APP/D1265/D/22/3308042

2 Barcombe Farm Cottages, Main Road, Alton Pancras, Dorset, DT2 7RT

- 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 and Mrs J Hiscock against the decision of Dorset Council.
 - The application Ref P/HOU/2022/02442, dated 13 April 2022, was refused by notice dated 13 July 2022.
 - The development proposed is retrospective permission for the construction of a new access and driveway.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a new access and driveway at 2 Barcombe Farm Cottages, Main Road, Alton Pancras, Dorset, DT2 7RT, in accordance with the terms of the application Ref P/HOU/2022/02442, dated 13 April 2022, and the plans submitted with it.

Main issue

2. I consider that the main issues in this case are its effect on highway safety, the character and appearance of the area and on the setting of a listed building.

Reasons

3. 2 Barcombe Farm Cottages is a two storey semi-detached house located on the west side of the B3143 road which runs through the village of Alton Pancras. The road is subject to a 30mph limit through the village.
4. I consider that the relevant policies of the West Dorset, Weymouth & Portland Local Plan 2015 (the local plan) in this case include COM7 which relates to highway safety, ENV4 which relates to the impact of development on heritage assets and ENV10 which relates to character and local identity.

Highway safety

5. The development has been completed. The access and driveway have been constructed of gravel, with a solid concrete threshold across the full width of the access, located to the north side of the garden area of the house. The access falls short of the guidance in the Government's *Manual for Streets* because the visibility for vehicles emerging onto the highway, particularly to the north where the road bends, does not meet the standard set out therein and the appellants do not have control over the land which would be required to provide adequate visibility splays.

6. The appellants own an area of land to the south of the adjoining semi, 1 Barcombe Farm Cottages, with access from the road for parking for both properties. The location is inconvenient for the appellants to use and the access also has limited visibility.
7. I consider that although the new access is substandard it does not give rise to a significantly worse risk to highway safety than the continued use of the other access to the south. The appellants' vehicle movements are relocated to the new access, not increased in number or frequency. In addition, it is arguably safer for the appellants themselves to use the off street parking space close to their house rather than to park on the road immediately outside their property, particularly, for example, for unloading shopping or children, babies and buggies, or to walk along the road, either on the carriageway itself or on the narrow grass verge, particularly in bad weather.
8. I understand that the access and parking area were completed in August 2020. No evidence has been put before me that any serious collisions have occurred since completion as a result of their use and I understand that in the last five years there has only been one such collision along the road frontage through the village and that that involved a single vehicle. The road is lightly trafficked.
9. *Manual for Streets* is technical guidance and does not set out any new policy or legal requirements. It is expected to be used for new residential streets and focuses on lightly trafficked residential streets, but it may also be applied to situations such as lightly-trafficked rural roads. It aims, among other things, to balance the needs of all users.
10. I consider that, on balance, this new access and alternative parking area provide safer access for the occupiers of 2 Barcombe Farm Cottages and do not have any severe detrimental effect on the safety of other road users. I conclude that the development will not pose a significant increase in the risk to highway safety and that it is consistent with local plan policy COM7 and the National Planning Policy Framework 2021 (the Framework).

Character and appearance

11. The development has introduced an open gravelled area to the road frontage where there was previously a low fence and a grassed area. I consider that this does not result in a loss of a sense of openness. Although this is a large area, it appears to have weathered since it was installed, with grass beginning to grow and soften the edges. The use of gravel is apparent along the road through the village for parking and accesses and is appropriate to a rural area. Tarmac drives are also common along the road and similar weathering has occurred such that these surfaces blend reasonably well into the rural character of the village, partly because few of them have conventional dropped curbs and they are at the same level as the carriageway.
12. The concrete ramp is unattractive and diminishes the appearance of the development because of its solid nature and hard edge. However, it matches the colour of the gravel and serves to contain it from spilling onto the road. Although it is somewhat incongruous I consider that this would not be sufficient reason on its own to justify dismissing the appeal.

13. I conclude that the development does not cause unacceptable harm to the character and appearance of the pair of semis themselves or the wider rural area and that it is consistent with local plan policy ENV10.

Setting of a listed building

14. Box Cottage is a Grade II listed building. It is a detached house of two main parts, rendered and painted white and part thatched, part slate roofed. A lean-to element extends close to the boundary with the appeal site. Although the gravel area is extensive, I consider that it will, in time, weather and blend more into the rural character of the area and will not cause harm to the setting of the listed building.
15. I conclude that the development does not adversely affect the setting of the listed building and that it is consistent with local plan policy ENV4.

Conclusions

16. I have found that the development will not increase the risk to highway safety and that it does not harm the character and appearance of the area or the setting of the listed building. In addition, I am mindful of the appellants' argument that under permitted development rights there are no restrictions on them removing fencing and laying gravel on the front garden.
17. For the reasons given above, the appeal is allowed.

Conditions

18. The Council has not put forward any conditions and as the development has been carried out, I consider that none is necessary.

PAG Metcalfe

INSPECTOR