
Appeal Decision

Site visit made on 28 July 2023

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2023

Appeal Ref: APP/V3120/W/23/3315699

Telephone exchange, Pusey Furze Wood, Buckland, Oxfordshire SN7 8PY

- 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 Chris Durici against the decision of Vale of White Horse District Council.
 - The application Ref P22/V2333/FUL, dated 26 September 2022, was refused by notice dated 23 November 2022.
 - The development proposed is the change of use to create an office.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on highway safety and whether the proposal would provide safe access for all users. Following the submission of additional information the Council agree that two further reasons for refusal relating to the potential impact of the proposal on trees and protected species (bats) could be overcome by attaching suitable conditions to any permission.

Reasons

3. The proposal is for the change of use of a single storey telephone exchange building, about 22 sq m in size, into a small office. The brick building with concrete tiled pitched roof has been disused for many years and lies in a fenced enclosure on the northern side of the A420. There is no dispute that the building in itself is suitable for the use. The plans also show how two parking spaces could be provided together with sufficient turning space to enable vehicles to leave in forward gear. The Council do not specifically state that this is accepted, but in any event the principal objection to the scheme relates to the safety of the access arrangements.
4. The A420 at this point is a 50 mph two-way 7.6 m wide single carriageway with broken white centre line markings passing through a rural area. The site has an existing 8.0 m wide dropped kerb and access gates 4.1 m back from the carriageway; these would be set back 6 m to allow a vehicle to pull clear off the road. The Council accepts that when leaving the necessary visibility splays for a 50 mph road of 160 x 2.4 m would 'just about' be met; the appellant claims visibility would be 200 m in both directions, easily meeting the standard. However, to ensure this, the trees and hedgerows on both sides would require regular cutting back during the growing season which is unlikely in practice and even with a speed camera nearby on this relatively straight stretch of A road it is probable some vehicles will exceed the 50 mph limit.

5. This vegetation also means that the site entrance would be largely hidden from view until the last minute. With no proposals for a nearside deceleration or central right turn lane, traffic entering the site would have to decelerate almost to a standstill before turning, and sometimes when turning right would have to stop completely to allow for approaching traffic to pass. The road is busy, with an annual average daily traffic flow of 21,600 vehicles in 2023, and with other traffic not generally anticipating these manoeuvres in this location, the risk to highway safety would be serious, particularly during the hours of darkness as there is no street lighting in the vicinity.
6. The appellant points out that the previous telephone exchange and storage uses involved some traffic movements to and from the site but these are not quantified and ceased over 20 years ago. It is likely they would have been infrequent albeit sometimes involving larger vehicles but given this context the anticipated generation of two to three movements per day would amount to a significant increase. There are a number of other properties in both directions along the A420 with higher levels of use and similar access arrangements but this does not justify increasing the risks at this particular location.
7. In relation to public transport, there are bus stops on either side of the A420 some 130 m to the east of the site which are served by a regular service at up to 15 minute intervals between Swindon and Oxford. However, in one direction this would involve crossing the road, there are no footways along the grass verge and the walk along the heavily trafficked road, particularly in the dark with no streetlights, would be unpleasant and potentially dangerous. Cycling is also likely to be an unattractive option along this busy road so in practice the site is likely to be accessed predominantly by car.
8. For these reasons the proposal would significantly increase highway safety risks compared to the previous use of the site and would not provide safe access for all users, in particular non-vehicle users. This would be contrary to Policies CP28, CP33 and CP35 of the Vale of White Horse Local Plan Part 1 2016 which require safe site access for pedestrians and cyclists and for all types of vehicle likely to visit the site, and promote sustainable transport options. The proposal would also be contrary to paragraphs 110-112 of the National Planning Policy Framework which require safe and suitable access for all users, give priority to pedestrian and cycle movements, and support the refusal of development if there would be an unacceptable impact on highway safety as in this case.
9. A similar telephone exchange building at Lewknor which was granted planning permission for conversion to a dwelling lies on a side lane and is consequently not comparable to the current proposal.

Conclusion

10. The proposal would provide a small office facility, make use of a currently disused building and remove an unsightly palisade fence. However, these benefits are outweighed by the significantly increased highway dangers that would arise from the use and the poor level of accessibility by sustainable modes of transport. The appeal should therefore be dismissed.

David Reed

INSPECTOR