



Appeal Decision

Site visit made on 11 July 2023

by J White BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2023

Appeal Ref: APP/Y3940/W/22/3292788

Parcel of Land: Adjacent to Ashvale, The Causeway, Winterslow SP5 1QW

- 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 Carlene Goodearl against the decision of Wiltshire Council.
 - The application Ref PL/2021/08271, dated 20 October 2021, was refused by notice dated 14 February 2022.
 - The development proposed is new dwelling in parcel of land adjacent to Ashvale, adjacent to Oakapple Cottage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Policy CP61 of the Wiltshire Core Strategy (January 2015) (WCS) relates to transport and new development. Whilst the Council does not specifically refer to this policy in its reasons for refusal, it references the policy in its Case Officer's Report. It also clearly refers to the policy within its Appeal Statement. The appellant has had an opportunity to comment on the Case Officer's Report and the Appeal Statement. Accordingly, I have had regard to the policy in this appeal.

Main Issue

3. The main issue is the effect of the proposed development on highway safety, with particular regard to vehicle movements at the junction of The Causeway and Middleton Road, the safety of pedestrians in The Causeway and visibility at the proposed access onto The Causeway.

Reasons

4. The Causeway is a single width lane, and it is not therefore generally possible for two vehicles to pass each other without entering onto adjoining residential driveways. The proposed dwelling would be constructed on the north side of the road with its own access, which would be formed to the east of the junction of The Causeway and Middleton Road.
5. The Causeway is narrow and there are a number of residential dwellings and a telephone exchange accessed from it. The majority of properties are historical developments that predate the WSC and do not meet the visibility splays advised by Manual for Streets 1 and 2. However, notwithstanding this, they are an established part of the character of the area, and it is likely that highway

- users will be well-used to vehicles exiting driveways and people walking along the lane.
6. The submitted evidence shows that on average there are approximately 93 daily vehicle movements on The Causeway, with around 4 to 5 vehicle movements during peak periods. It is, therefore, relatively lightly trafficked. The Causeway is subject to a 30mph speed limit; however, traffic speeds are recorded as being less than 20mph.
 7. Given this and having regard to the character of The Causeway, which is a location where you would reasonably expect drivers to anticipate vehicle and pedestrian movements and take care, the proposed access to the appeal site would itself be unlikely to harm highway safety.
 8. For similar reasons and having regard to the proximity of footpaths on Middleton Road, the proposal would be unlikely to cause substantial harm to the safety of pedestrians. This is despite the lack of lighting and separate footways on The Causeway.
 9. Nonetheless, the proposal would increase traffic movements through the junction with Middleton Road by approximately five percent. This would be a noticeable increase and the proposed dwelling, whilst relatively small, would have the capacity to make a material difference to the use of the junction in terms of numbers of journeys by occupiers, visitors and for deliveries.
 10. No speed data is available for Middleton Road in this location, which is subject of a 30mph restriction. The road is a Class III highway and is a principal road through the settlement. Whilst visibility emerging from The Causeway is adequate to the north west, I saw on my site visit that visibility to the south east is restricted by a hedge. Measured at a position 2.4 metres back from the junction, no visibility splay along Middleton Road in a south east direction is achieved. The appellant has not provided any drawings of visibility splays at the junction that would demonstrate that the egress is safe.
 11. The hedge blocks the visibility of oncoming traffic to drivers emerging from The Causeway. Drivers would have to move their cars forward onto Middleton Road before they could see oncoming traffic, potentially causing a hazard to other highway users. Moreover, the shape of the junction is at such an angle that larger vehicles turning left out of The Causeway would have to cross the centre line of Middleton Road, resulting in potential for collision between those vehicles.
 12. Furthermore, due to its alignment and topography, vehicles approaching the junction from the south east on Middleton Road would not have visibility along The Causeway. Consequently, due to the poor visibility coupled with the limited width, the intensification of use in this location would have the potential for vehicles entering The Causeway, needing to reverse back onto or wait on the junction should an opposing vehicle approach.
 13. Whilst I note the absence of any evidence of accident history associated with this access, this does not diminish the risks associated with additional traffic movements. Although only one dwelling is proposed this would still increase its use, which in turn would increase the highway risks associated with it.
 14. The appellant draws attention to other developments permitted with access onto The Causeway. The example at Box Cottage resulted in the removal of an

existing deficient access on to Middleton Road as well as some junction improvements. The case relating to Pyte Cottage followed these junction improvements and the Highway Authority raised no objection. As such, there are differences between the circumstances pertaining to those schemes and, therefore, these examples cannot be taken as a direct precedent for the current proposal. Nor do I consider that the level of existing use presents adequate justification to exacerbate the risk to highway safety.

15. I am aware of a previous dismissed appeal decision relating to the appeal site. Nonetheless, I have considered this appeal on its individual merits and have found that it would result in an increased risk to highway safety which in the context of the restricted visibility at the junction of The Causeway with Middleton Road would result in material harm to highway safety.
16. I am also cognisant that some sightline visibility improvements were carried out in association with the development approved at Box Cottage. However, the evidence available demonstrates that, whilst the visibility was improved as a result of works associated with that development, there was no requirement to maintain the improved junction sightline in perpetuity. Consequently, as I saw during my site visit, a hedge has matured alongside the highway and visibility to the south east of the junction is now blocked.
17. As such, given third party landownership, the provision and retention of a longer splay to the nearside carriageway edge of Middleton Road, without any vegetation or land impeding visibility, could not be secured and guaranteed unless a planning obligation was entered into with the relevant landowner. I have received no substantive evidence to indicate that this is possible.
18. For the above reasons, the proposal, without adequate visibility in the direction of south east from the junction of The Causeway with Middleton Road, would result in the potential for collision of vehicles raising significant concerns for highway safety.
19. Consequently, the appeal scheme would not provide adequate vehicular access arrangements. It would have an unacceptable harmful effect on highway safety associated with the increase in traffic movements through the junction of The Causeway and Middleton Road.
20. WSC Policy CP61 is clear that new development must be capable of being served by safe access to the highway network. Given the existing conditions of the junction of The Causeway and Middleton Road, access to the appeal site is not, for the reasons set out above, adequate in terms of highway safety. The proposal would therefore conflict with this policy. The proposal would also conflict with paragraph 111 of the National Planning Policy Framework (Framework), which states that development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety.

Other Matters

21. The appeal site lies within the catchment of the River Test and drains into the Solent, which is safeguarded by a number of designations including the Solent Maritime Special Area of Conservation (SAC), Chichester and Langstone Harbours Special Protection Area (SPA), Portsmouth Harbour SPA and Solent and Southampton Water SPA. However, there is no need to consider the

implications upon these designations further because the scheme is unacceptable for other reasons.

22. There would be a benefit from the provision of an additional dwelling that would make a positive, albeit limited, contribution to the housing supply. Economic benefits would also arise from the construction of a new house and future spending by its occupants in nearby businesses and facilities. However, the additional unit would make little difference to the overall supply of housing and the support the extra household would provide to the local economy would also be minimal.

Conclusion

23. The proposal would result in unacceptable harm to highway safety. The Framework advises that developments should ensure that safe and suitable access to the site can be achieved for all users. This harm weighs significantly against the proposal.
24. The proposal would conflict with the development plan as a whole and there are no material considerations identified, including the provisions of the Framework, which outweigh this finding of highway harm. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

J White

INSPECTOR