



Appeal Decision

Site visit made on 1 November 2023

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 17 November 2023

Appeal Ref: APP/W3520/W/23/3314110

2 Star House Cottages, Union Road, Onehouse, Suffolk IP14 3EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Ms T Lee against the decision of Mid Suffolk District Council.
 - The application Ref DC/22/01397, dated 7 March 2022, was refused by notice dated 16 December 2022.
 - The development proposed is the erection of a detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. The appeal scheme relates to an outline proposal, with access to be considered at this stage, and with all other matters reserved for future consideration. I have considered the appeal accordingly. A plan has been submitted as part of the appeal which indicates how a dwelling could be accommodated on the site. I have taken this plan into account for indicative purposes only.

Main Issue

4. The main issue is the effect of the development on highway safety.

Reasons

5. The appeal site is located on a rural road on the outskirts of Stowmarket with the junction between Union Road and Starhouse Lane located a short distance to the west. It is likely that in the coming years, when the housing estate is completed, the road will become increasingly busy. Whilst the appellant asserts that the proposal would widen the existing access on site, there are discrepancies between the submitted drawings. Based on the visibility splay drawings, the existing access utilised by No.2 Star House Cottages would be stopped up and a new shared access closer to the junction would be created.
6. The existing access has operated for many years with no recorded road traffic incidents. Whilst the proposed access would provide improved visibility in both directions, the proposal would intensify the use of the access and increase the number of vehicles entering and exiting the site.

7. Although the access would be positioned where vehicles would be slowing on approach to the junction, the submitted information indicates that on average vehicles are still travelling at a considerable speed. The appellant asserts that the Highway Authority's standards are for guidance only, but the visibility splay to the east would be substantially below that which is required, based on the 85th percentile speed of Union Road and no substantiated evidence has been provided to justify a deviation of that magnitude. The lack of adequate visibility and the increased number of comings and goings would increase the potential conflicts on the highway, detrimentally affecting highway safety.
8. I note that there is an existing access to the appeal site and that it will continue to be used irrespective of the outcome of this Appeal. However, the proposal is to provide an access with an acknowledged substandard visibility that would accommodate additional traffic movements and with it the possibility that accidents would occur. Therefore, the continued use of the access does not alleviate my concerns regarding highway safety and does not lead me to an alternative conclusion.
9. Therefore, I conclude that the proposal would be detrimental to highway safety. It would conflict with Policy T10 of the Mid Suffolk Local Plan (September 1998) which requires development to provide safe access and egress. The proposal would also conflict with the National Planning Policy Framework (the Framework) which seeks to ensure that safe and suitable access to a site can be achieved for all users and to prevent development which would have an unacceptable impact on highway safety.

Other Matters

10. The appeal site forms part of the setting of the adjacent Grade II listed buildings, Starhouse Farmhouse and Barn 10 meters west of Starhouse Farmhouse. In accordance with the statutory duty imposed by section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving the setting of the listed buildings in the determination of this appeal. The Farmhouse and Barn both derive significance from their architectural character and detailing as well as their rural setting. Despite the proximity of the proposal, due to the intervening highway and mature planting there would be no harm to the setting of the listed building.
11. The appeal site is located in an area that has been allocated for residential development within the Stowmarket Area Action Plan. The proposal would provide one additional dwelling and contribute to the districts housing supply. However, the benefits of one additional dwelling would be limited and would not outweigh the harm identified above.

Conclusion

12. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR