



Appeal Decision

Site visit made on 27 February 2024

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 14 March 2024

Appeal Ref: APP/W2845/W/23/3330691

Land off Barn Corner, Collingtree, Northampton NN4 0NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr D Sargeant against the decision of West Northamptonshire Council.
 - The application Ref is WNN/2023/0152.
 - The development proposed is a hardstanding.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A revised National Planning Policy Framework (the Framework) was published by the Government in December 2023. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, I consider that there is no requirement for me to seek further submissions and I am satisfied that no party's interests have been prejudiced by my taking this approach. I will refer to the updated paragraph numbers where necessary in this appeal.

Main Issue

3. The main issue is the effect of the proposal on highway safety.

Reasons

4. The appeal site comprises a grass field accessed from Barn Corner, along a bridleway which is a Public Right of Way (PRoW). The appeal site is bound by post and rail fencing and railings, with security fencing located at the access point currently. Dwellings surround the appeal site, with a large residential development currently being constructed directly to the west. Barn Corner is a relatively narrow road with a number of dwellings and the church located on it. A separate pavement is located alongside Barn Corner until you reach the tight right hand bend. At that point there is a short section with no separate pavement, leading to the PRoW.
5. As you move along the PRoW from Barn Corner, there is a high brick wall along the right hand side for the initial stretch followed by a close boarded fence once the path heads north east around the appeal site. To the left hand side are mature trees and vegetation. The PRoW is narrow in width, only allowing for one vehicle to move along it.

6. The proposal is limited to the creation of an area of hardstanding within the grass field to enable vehicles to enter, park and then turn within the field, in order to egress in a forward gear. The use of the grass field would remain as a paddock where the grazing of animals can take place.
7. I understand that the appellant owns the land which the PRow runs across and has a right to take vehicles along it to access the grass field. The formation of the hardstanding would therefore formalise this existing arrangement and would allow vehicular movements to take place in wet weather when the ground can become more difficult to manoeuvre vehicles on. I note the appellant asserts that the other option is to reverse vehicles along the PRow when vehicles cannot turn within the appeal site.
8. Although I accept that vehicles accessing the appeal site would move slowly given the nature of the access, users of the PRow would be likely to feel intimidated by the presence of a vehicle in such a narrow space. It is likely that to stand clear of vehicles, users of the PRow would have to move back within the vegetated area. This might not be problematic for some, but for parents with pushchairs and young children, older people, those with mobility issues, dog walkers, cyclists or those on horseback, this would be very difficult or impossible and hence would create a conflict between the users of the PRow and vehicles accessing the appeal site.
9. Whilst only a snapshot in time, during my site visit, I noted that the PRow was well used with a number of dog walkers, parents with pushchairs and runners passing me along that stretch. I accept that the number of vehicle movements would potentially be limited to daily checks on animals within the grass field and the moving of animals to and from the site. However, the creation of a hardstanding would facilitate more regular vehicular movements and therefore the conflict with other users of the PRow would be likely to increase as a result of the proposal.
10. The number of additional vehicle movements facilitated by the proposal would not be harmful to the users of Barn Corner, given those using this road would expect vehicle movements in this locality. Nevertheless, this would not mitigate the conflict I have found in relation to the users of the PRow.
11. I therefore find that the proposal would be likely to have a harmful effect on highway safety in terms of the conflict between vehicles accessing the appeal site and the users of the PRow. The proposal would therefore be contrary to Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) Adopted December 2014 and Policies Q1, Q2 And MO2 of the Northampton Local Plan Part 2 2011 – 2029 Adopted March 2023.
12. These policies seek, amongst other things, that developments create safe and healthy environments that prioritise people walking and cycling to reach local facilities and facilitate recreation, that a high standard of amenity is created and protected and that there would be no unacceptable impacts on highway safety.
13. The proposal would also be contrary to paragraphs 114 and 116 of the Framework which seek, amongst other things, that safe and suitable access to the site can be achieved for all users and that the scope for conflicts between pedestrians, cyclists and vehicles is minimised.

Other Matters

14. The Council did not raise objection to the effect on the character and appearance of the area in its reason for refusal. Even if I were to agree, a lack of harm in this respect would be a neutral consideration and would weigh neither for nor against the proposal.
15. I note that the Council has provided a previous appeal decision from 2001 at the appeal site that related to the dismissal of a proposal for a dwelling. Whilst I note that the Inspector did not raise objection to the formation of a vehicular access to serve a dwelling in that case, I do not have sight of the evidence before that Inspector that informed that decision. In any case, the delivery of a considerable number of new homes in the surrounding area has likely increased the number of users of the PRow, and thus the amount of people that may be conflicted by the proposal now before me.

Conclusion

16. The proposal conflicts with the development plan as a whole, and there are no material considerations that indicate that I should take a decision other than in accordance with it. The appeal is therefore dismissed.

G Dring

INSPECTOR