



Appeal Decision

Site visit made on 19 June 2024

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 JULY 2024

Appeal Ref: APP/Y3615/W/23/3331430

Retlaws, 15 Roseacre Gardens, Chilworth, Surrey GU4 8RQ

- 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 Mark Eshelby of Latchmere Properties Ltd against the decision of Guildford Borough Council.
 - The application Ref is 23/P/00341.
 - The development proposed is part 2 storey and part 1.5 storey new build dwelling with integral garage, associated parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development is taken from the decision notice and appeal form as this accurately describes the development proposed.

Main Issue

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

Reasons

4. The appeal scheme would create a new dwelling on Roseacre Gardens, which is a private road. Roseacre Gardens joins with the public road network at Dorking Road. Dorking Road is an A road with a 30 mile per hour speed limit.
5. The Council refer to the standards in Manual for Streets 1 (MfS1) which requires a visibility splay of 2.4m x 43m in this location. However, in this location in the leading direction visibility is limited to 2.4m x 33m.
6. The junction is used by the 39 properties in Roseacre Gardens, and this is estimated to be around 152 movements per day. The proposed dwelling is predicted to generate a total of 4 two-way vehicle movements on a weekday, which would be a 2.5% increase at this junction. Accident data shows that there have not been any accidents on this junction or from cars emerging from minor roads nearby in the previous 10 years.
7. However, only crashes which involve personal injuries are recorded by the police. A driveway mirror is in place opposite the junction and the appellant describes that drivers waiting at the junction are cautious and will edge forwards. Taking all the above into account, there is a perception of danger at this junction. As such, even considering the small increase in the number of movements, the proposed development would result in an increased risk in the

potential for conflict between road users. This could result in crashes or injuries. This harm would be serious.

8. Manual for Streets 2 states that there is no evidence that a failure to provide visibility at priority junctions in accordance with the values recommended in MfS1 will result in an increased risk of injury or collisions. However, for the site-specific circumstances described above, in this case, the visibility proposed for the appeal scheme would be harmful. Therefore, there would be an unacceptable impact on highway safety contrary to paragraph 115 of the National Planning Policy Framework (2023) (Framework).
9. Consequently, the proposed development would be harmful to highway safety. Therefore, it would be contrary to policy ID3 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (2019) which in part requires that development contributes to a safe transport system and that development provides suitable access.

Other Matters

10. Planning permission was granted for a replacement dwelling at 14 Roseacre Gardens. As this did not increase the number of dwelling it would not result in an increase in trips associated with the site. Therefore, this is notably different to the scheme before me now and does not alter my conclusions.
11. The proposed development would make efficient use of land for a single new dwelling. However, given the scale of the proposed development the benefits in these regards are modest. This would not therefore outweigh the harm to highway safety which would be serious.

Conclusion

12. The proposal would not accord with the development plan and there are no other considerations including the Framework to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that this appeal should be dismissed.

H Miles

INSPECTOR