



Appeal Decision

Site visit made on 6 December 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2024

Appeal Ref: APP/W2845/D/24/3347781

23 Ashton Road, Hartwell, West Northamptonshire, NN7 2HW

- 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 Andrew Faulkner against the decision of West Northamptonshire Council.
 - The application Ref is 2024/1080/FULL.
 - The development proposed is an extension of dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for an extension of dropped kerb at 23 Ashton Road, Hartwell, West Northamptonshire, NN7 2HW in accordance with the terms of the application, Ref 2024/1080/FULL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, unreferenced submitted plans showing the location and dimensions of the existing and proposed dropped kerbs.

Main Issue

2. There is one main issue which is the effect of the proposed extended dropped kerb on highway safety, including pedestrian safety, in the vicinity of the site.

Reasons

3. The appeal site comprises a bungalow set behind a wide gravelled frontage which has a maximum depth of some 7.45m and a minimum depth of about 3.9m. The dwelling is well established and set in a row of other bungalows and houses of similar age which mostly have similar wide frontages, some gravelled and some with double width dropped kerbs. There are older cottages on the opposite side of the road, a number of which have full width dropped kerbs serving gravelled frontages.
4. Ashton Road is a minor road but the main route through the village of Hartwell. It is subject to a 30 mph speed limit. At the time of my site visit, a weekday morning, it was carrying a sporadic stream of traffic. The road is single carriageway with footways on both sides. There are no parking restrictions in

the vicinity of the appeal dwelling. Parked vehicles opposite the appeal site caused a noticeable obstruction at the time of my site visit.

5. The appeal site has an existing single width dropped kerb which is aligned to serve the original garage to the dwelling. However, the bungalow has been extended to the side to provide a new garage and the original garage opening is now the front door. This means that the dropped kerb does not allow access to the garage or the parking space in front of it at an angle of 90 degrees to the carriageway. Neither does it allow access to the space on the opposite side of the front door at a 90 degree angle to the highway.
6. The proposed dropped kerb would extend the existing one by some 1.0m to the east to provide a 90 degree access to the garage and frontage space and by some 1.8m to the west to allow for a 90 degree access to Parking Space 2, as shown on the submitted plans.
7. The Highways Authority (HA) is concerned that the submitted plans do not demonstrate that the second parking space would meet the standard set out in the Northamptonshire Parking Standards (NPS), 2016, which is 3m x 5.5m for a new residential driveway. However, although the plans do not have a scale bar, they are drawn to a scale of 1:100 and sufficient dimensions are provided to demonstrate that both Space 1 and Space 2 would meet the required standard, thus ensuring vehicles would not overhang the highway. My site visit provided further verification.
8. The HA suggests that the driveway should be hard paved for a distance of 5.5m back from the edge of the highway. The existing driveway does not form part of the proposed development, is clearly long standing and is served by the existing, now mis-aligned, dropped kerb. However, in common with others nearby, it has a gravelled surface. Nevertheless, the proposed extended dropped kerb would allow safer access to and egress from the site for the two right angled parking spaces shown on the submitted plans.
9. Having regard to the established nature of the existing driveway and other gravelled driveways nearby, some of which are served by extended dropped kerbs, I consider that the extended dropped kerb, which would improve highway safety for both vehicles and pedestrians, should be permitted and that it would be unreasonable to require a hard paved surface in this case.
10. The submitted plans indicate a third parking space at the shallower end of the driveway. A vehicle would have to be positioned almost parallel to the highway in order to park in this location and be fully within the site. The HA comments that it would not allow this third space due to the angle of approach. However, the proposed development is for an extended dropped kerb. The gravelled driveway already exists and does not form part of the proposed development. Moreover, the extended dropped kerb would not directly serve this area of the frontage and any parking on it would therefore be informal.
11. It is concluded on the main issue that the proposed extended dropped kerb would improve highway safety, including pedestrian safety, in the vicinity of the site. In consequence, it would comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan, 2011-2029, the National Planning Policy Framework and the NPS. Taken together and amongst other things these require development to include a safe and suitable means of access for all people.

12. The Council suggests two conditions in addition to the statutory commencement condition. I agree that the development should be carried out in accordance with the approved plans. However, a condition requiring matching materials would not be necessary because the dropped kerb would be to the specification of the HA.
13. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

KE Down
INSPECTOR