



Appeal Decision

Site visit made on 25 July 2025

by **J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

an Inspector appointed by the Secretary of State.

Decision date: 11 August 2025

Appeal Ref: APP/P0240/D/25/3366374

80 Dunstable Road, Flitwick, Bedfordshire MK45 1HN

- 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 Miss Jaspreet Kaur Puar against the decision of Central Bedfordshire Council.
 - The application reference is CB/24/03436/FULL.
 - The development proposed is described on the Application Form as 'Change of use of the existing grass verge and pedestrian footpath to allow vehicular crossover with a dropped kerb providing access to the front of 80 Dunstable Road via a paved drive.'
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposed development upon highway safety.

Reasons

3. The appeal site is a detached residential property that has its frontage to Dunstable Road, a Classified A-Road, and also vehicular access to the rear via Hampden Close. Dunstable Road is a single carriageway in each direction and at the point of the appeal site the speed limit is 30mph. The appeal site is located to the edge of the settlement of Flitwick and is one of the first properties as one travels into the settlement. At the point of the Appeal site the road is on a curve, with Church Road branching off a short distance before the appeal site to the west and Vicarage Hill branching off Dunstable road to the East directly opposite the appeal site.
4. On my site visit (around lunchtime) I noted Dunstable Road as busy with both cars and Heavy Goods Vehicles (HGVs), but was relatively free flowing, however it did appear that despite the speed signage, that vehicles were decelerating and accelerating at this edge of village location where the speed limit changes a little further away from the site. Dunstable Road also provides access to businesses and through traffic between the M1 and Bedford. The carriageway is illuminated by street lighting, with a grass verge in front of the appeal site and also a pedestrian footpath into the settlement. The other side of Dunstable Road there is an informal footpath. I appreciate that the road conditions I experienced on my site visit was only a snapshot of the road at this particular time, however I have also considered the evidence submitted by main parties and in light of this, I am satisfied that what I saw represents typical conditions. I deduce that despite its deficiencies, Dunstable Road operates satisfactorily without any significant safety issues.

5. Whilst the Appellant's Statement of Case (SoC) presents Crashmap accident data which says that there have been no accidents within the last 5 years, this does not in itself mean that accidents have not occurred, near misses, or indeed that a carriageway is 'safe.' The Appellant's SoC refers to an unreported incident where a vehicle parking on the verge almost came into contact with the wall, which illustrates some of the problems occurring on this stretch of road.
6. The existing road situation is already complicated given the curvature of the road at this point, the speed and frequency of traffic, and that there is the Church Road Junction a short distance from the appeal site and Vicarage Hill junction directly opposite. Whilst I appreciate that this would be a residential dropped kerb the entering and exiting of vehicles along this part of the road would likely impact the free flow of traffic on the existing network and create hazards to that traffic and other road users, particularly persons with mobility impairments, prams, wheelchairs that need to navigate these busy junctions. Whilst I appreciate comments in the Appellant's SoC that there are appropriate visibility splays, the curvature of the road at this point together with the flow of traffic at the end of the village causes further concerns towards highway safety that a dropped kerb and additional entering/exiting vehicles would exacerbate.
7. I note comments and photographs from the Appellant's SoC¹ with regards to other locations where there are dropped kerbs on Dunstable Road near traffic signals, which is located further along Dunstable Road where the road straightens out and traffic is slower which isn't very comparable to the appeal site. I have not been presented with any evidence which demonstrates whether these cases have any form of consent, or the timings, such as crossings placed in areas after dropped kerbs were installed. Even so, cases are required to be assessed on their merits and the particular circumstances as outlined above are not identical to the examples given. As such these examples do not assist in demonstrating the appropriateness of the proposed development and I therefore give limited weight to these cases.
8. Whilst the Appellant's SoC does not make any reference to the access to the rear, this would appear to have been planned as part of the appeal site where the appeal site has an off-road access to the rear from Hampden Close. This would alleviate the Appellant's concerns regarding on-road congestion as the appeal site does not appear to contribute to this as a result of this access to the rear. I also note photographs of cars/vans parking on the verge to the front of the appeal site. This would appear to be related to the operation of the appeal site, in that delivery drivers, contractors or visitors should be directed to the access at the rear of the property instead of allowing them to park to the front. Whilst I appreciate that cars also park on the concrete verge in front of the neighbouring property, I fail to see how the proposed access would resolve these instances if these vehicles are visiting the neighbour. If vehicles are seeking to visit the appeal site, then directing them to the rear of the appeal site would alleviate the issues identified with parking vehicles on the verge.
9. Taking the above into account and in conclusion of this matter, the proposal would cause adverse detriment towards highway safety and would therefore be contrary to the Central Bedfordshire Local Plan Policy T2 which seeks that proposals should provide safe and convenient access and should not impede the free flow of traffic

¹ Images of dropped kerbs along Dunstable Road.

on the existing network or create hazards to that traffic and other road users. This is supported by the Central Bedfordshire Council's Design Guide and Highway Construction Standards and Specifications Guidance.

Conclusion

10. Taking the above into account, I conclude that the appeal be dismissed.

J Somers

INSPECTOR