
Appeal Decision

Site visit made on 28 October 2025

by **SE Hughes BA (Hons) PGDip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Appeal Ref: APP/Y3940/W/25/3369122

Land adjoining Hilperton Drive and Ashton Road, Hilperton, Wiltshire BA14 7WQ

- 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 Mark Harding-Wyatt against the decision of Wiltshire Council.
 - The application Ref is PL/2024/09664.
 - The development proposed is the creation of a new drop kerb and access drive.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site comprises a grass verge next to Hilperton Drive (A361) and Ashton Road roundabout and a narrow agricultural field which is parallel to Ashton Road. On my site visit I was able to see that various works had been undertaken to the field, including the provision of a compacted aggregate surface and the erection of security fencing and the installation of lighting and CCTV.
3. The appellant has explained that he is a highways contractor and that he purchased the appeal site with the intention of relocating plant equipment from a rented yard in Steeple Ashton. The land previously being used for livestock grazing and agricultural storage. However, as the application does not seek a change of use from agriculture to the storage of commercial plant and equipment, I have considered the appeal on the same basis as the Council, that the proposal comprises a new dropped kerb and access drive from the roundabout to a field used for agriculture.
4. The appellant has submitted 2 diagrams showing alterations to the appeal plan. These diagrams include land outside the red line application area and materially change the proposal subject to the original application. As such and since not all interested parties would have had the opportunity to comment on these revisions, I have not considered these diagrams in determining the appeal.

Main Issue

5. The main issue in this appeal is the effect of the proposal on highway safety.

Reasons

6. The proposal would result in the provision of a new access off the A361 and Ashton Road roundabout at Hilperton. At the late morning time of my site visit, I saw that the roundabout is moderately busy, with steady free-flowing traffic, primarily along the A road route.

7. The proposed access road would join the roundabout at an acute angle. Consequently, outgoing vehicles turning left from the appeal site would need to manoeuvre excessively to join the roundabout. For this reason, the Highway Authority have advised that the geometry and design of the access would be unacceptable, resulting in an arrangement which would be hazardous to all users of the road.
8. As the appeal site would remain in agricultural use, the vehicles entering and exiting could be large and slow moving (tractors and trailers and other such agricultural vehicles). Where this is the case, this is likely to further impede their manoeuvrability and could be confusing and distracting to other road users whilst they are manoeuvring around the roundabout, on what is inherently a free-flowing roundabout.
9. Whilst I acknowledge that the appellant has experience in highways construction and is of the opinion that there would be clear lines of visibility of the roads approaching the roundabout from the proposed access, there are no accurate to scale, professionally prepared visibility splay plans or swept path drawings to corroborate this.
10. Therefore, in view of the above and in the absence of any professionally prepared plans and the Local Highway Authority's objection, I am not persuaded that the proposed access would be safe. Consequently, I find that the siting of the proposed access would significantly increase the risk to the safety of highway users.
11. The appellant refers to similar arrangements at other sites within a 3 mile radius. However, I have not been provided with full details of each case to compare these accesses with the proposed development. Nevertheless, from the limited information I have, the Mortimer Street accesses are not off a roundabout, and all the other accesses are perpendicular to the roundabout, therefore are not directly comparable to the appeal proposal.
12. I acknowledge that the appellant anticipates that vehicle movements would remain minimal referring to infrequent visits by a small van. I also acknowledge that agricultural vehicles may have occasionally mounted the kerb and crossed over the verge in the past, in order to gain access to the appeal site. Nonetheless, regardless of the amount of traffic generated in the past or now predicted, I consider that my findings above in relation to the geometry and design of the access are sufficient to dismiss the appeal in its own right.
13. I have also considered the appellant's suggestion to fund and install signage to warn road users of the new access, however, I do not consider that this would mitigate the appeal's failings in respect of its geometry and design and the hazard the access would pose to road users.
14. Overall, I conclude that the proposed development would have an unacceptable and detrimental impact on highway safety. Consequently, the proposal conflicts with Policies CP57, CP60 and CP61 of the Wiltshire Core Strategy which encourage the safe movement of people and goods and requires development to have a safe access to the highway network. In addition, it would be contrary to paragraph 116 of the National Planning Policy Framework, which states that if there would be an unacceptable impact on highway safety, development should be refused.

Other Matters

15. I have noted the appellant's comments regarding problems achieving an alternative access via Ashton Road and his personal aspirations for the site and his business. However, I do not consider that these personal circumstances provide sufficient justification to outweigh the harm I have identified from the proposals.

Conclusion

16. For the reasons set out above, the proposal conflicts with the development plan and there are no material considerations that would outweigh that conflict. Therefore, the appeal should be dismissed.

SE Hughes

INSPECTOR