



Appeal Decision

Site visit made on 19 January 2026

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 February 2026

Appeal Ref: APP/W2845/W/25/3375429

Land to the rear of nos.53 and 55 Kingsley Road, Northampton, NN2 7BN

- 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 Geoff Porton of Francis Group Ltd against the decision of West Northamptonshire Council.
 - The application Ref is 2025/1753/FULL.
 - The development proposed is a single storey two-bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on pedestrian and highway safety.

Reasons

3. Planning permission was granted for a dwelling on the site in 2012. However, that permission expired 11 years ago, and the local highway authority did not comment on it. Furthermore, the previous officer report I have been provided with a copy of did not include a robust assessment of the width of the access or general highway safety matters. I must determine this case based upon the evidence before me, current policies and guidance, current traffic flows and my own observations.
4. The appeal site comprises a vacant parcel of land that has been sub-divided from the end of the rear gardens of nos.53 and 55 Kingsley Road. Large areas of hardstanding indicate that parts of the site previously provided off street parking and or garages linked to these two dwellings.
5. The site is bound on two sides by a narrow service lane, which provides access to the rear of the terraced houses at 41-69 Kingsley Road and to three dwellings behind it. All the existing properties, except perhaps the detached no.57 Kingsley Road, appear to have alternative means of access from other roads and footpaths, and are not wholly reliant upon the service lane, which has no separate footways, limited lighting and turning space, is poorly maintained and potholed, and is not wide enough for two vehicles to pass.
6. The original purpose of the service lane would have been to provide occasional access to rear gardens for pedestrians, cyclists and refuse disposal. Due to the length of the rear gardens of the terraced houses, and the poor quality of the unlit service lane, it is likely that frontage parking on Kingsley Road remains more convenient for existing residents whenever spaces are available. At the time of my

visit cars were parked along Kingsley Road in front of these houses, as well as to the rear.

7. The main parties refer to the width of the service lane as being approximately 4.5m and 4.7m wide. It is suggested that this would comply with the lower acceptable limit of 4.5m for some forms of shared driveways, serving two to five dwellings, without solid structures to either side. However, the lane already serves more than five dwellings and does have solid structures or hedges to either side, which prevent the passage of two-way traffic movements. Furthermore, the 4.5m and 4.7m measurements referred to, appear to have been taken from the ordnance survey location plan, as opposed to from the more accurate topographical measured survey drawing. The measured survey drawing shows the access width, at its junction with the footway running along Kingsley Road, as being approximately 4.2m wide. This narrows to less than 3m in places, such as between the boundary hedge of no.59 and the boundary of the proposed new plot.
8. Based upon my observations on site, it does not appear that two average size cars would be safely able to pass at the junction of the service lane onto Kingsley Road, and no vehicle tracking drawings have been submitted to demonstrate otherwise. There would certainly not be space for two vehicles to safely pass if pedestrians or cyclists were also using the lane or if refuse bins were put out on the lane for emptying. I also noted that the front garden of no.55 is block paved and used for parking but does not have its own dropped kerb to the front and is instead accessed by driving over the pavement or across the junction of the service lane, adding further risk of conflict between vehicles and pedestrians in this area.
9. Unlike most, if not all, existing properties, occupiers of the proposed new dwelling would not benefit from any alternative roadside parking. Parking on the lane outside the new dwelling would obstruct other users. The new dwelling would therefore be wholly reliant upon the narrow service lane for any form of access, vehicular or pedestrian, for occupiers, visitors, deliveries and servicing, which would intensify the use of this unadopted access, increasing the likelihood of vehicles and pedestrians having to pass and the risk of accidents.
10. Whilst the increased use of the access would be modest, due to the limited width of the road, which is insufficient to enable even cars to pass, vehicles leaving the site would force those wishing to enter to have to wait on Kingsley Road to let vehicles out, which would be detrimental to the free flow of traffic on this busy A road route. This would be particularly problematic for vehicles waiting to turn right, into or out of the lane. Vehicles travelling in opposite directions along the lane would also be forced to either reverse along the narrow unlit lane or out over the footpath and onto the main road.
11. I acknowledge that the site has previously been used for parking, that the service lane has been used by vehicles for many years, and no reported safety incidents have been brought to my attention. However, as occupiers of no.55 park on the block paved garden at the front of the property, the parking and access use would not be reduced, the proposal would simply replace the parking for no.53 with the parking for the new dwelling, leaving no overspill or off-street parking for occupiers of nos.53 and 55. This would increase the pressure for on street parking, which already obstructs visibility for vehicles exiting the service lane, or for parking on front gardens, resulting in more access crossings over the pavement. Although

there is a white H line, warning drivers not to park across the entrance and exit to the service lane, this does not protect its wider visibility. Vehicles waiting to join the busy main road need to edge out across the pavement and between parked cars, obstructing pedestrians and cyclists.

12. I therefore conclude that the effect of the proposed development on pedestrian and highway safety would be unacceptable and contrary to policy M02 of the Northampton Local Plan Part 2, which is supportive of development provided it is designed to allow safe and suitable means of access and site operation. The proposal would also conflict with paragraphs 115 and 116 of the National Planning Policy Framework, which seek to ensure safe and suitable access to the site can be achieved for all users and to refuse development on highway grounds if there would be an unacceptable impact on highway safety.

Conclusion

13. For the reasons given above, the appeal is dismissed.

R. Bartlett

INSPECTOR