



Appeal Decision

Site visit made on 26 March 2013

by W D Munday BTP MRICS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date:

Appeal Ref: APP/X1735/D/13/2192542

Locks Farm House, Southleigh Road, HAVANT, Hampshire, PO9 2PA

- 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 Mr Peter Henderson against the decision of Havant Borough Council.
 - The application ref. APP/12/01054 was refused by notice dated 18 December 2012.
 - The development proposed is new parking area and dropped crossing onto Southleigh Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be, firstly, the impact of the proposal on the character and appearance of the locality, which is within the defined strategic gap between the settlements of Havant and Emsworth; and secondly, the impact on the safety and convenience of highway users.

Reasons

3. At the time of my site visit, a close-boarded fence was in place across the frontage of the site to Southleigh Road, which interrupted the hedge line along the north side of the road. The proposal involves removing one section of the fence, reducing the height of the adjacent section on each side of the resulting gap, and the formation of a new access, serving a proposed parking area. The access works would involve regrading and surfacing part of the existing, sloping bank on the site frontage, with a low retaining wall each side. The Council considers the proposed works would have an urbanising effect on the land outside the defined settlement areas. Locks Farm House forms part of a cluster of residential properties and farm buildings adjacent to the junction of Southleigh Road and Eastleigh Road. The location of the proposed access is at the western end of the curtilage of the appeal property, where it adjoins Southleigh Road. Whilst outside this cluster of buildings, I consider the development would not harmfully intrude upon the otherwise generally open character and appearance of the area. As described above, the overall amount of fencing would be reduced, and in my view the proposed area of gravel surfacing and the low retaining walls would not be unduly conspicuous or out of character this setting. As such, I consider the proposal would not conflict with Policy CS11 of the Havant Borough Core Strategy, which seeks to maintain the strategic gap between Havant and Emsworth. Further, in my view the limited impact of the proposal on the character and appearance of the area creates no

conflict of substance with policies CS16 and CS17, and I also see no conflict in this respect with national guidance as set out in the National Planning Policy Framework (NPPF).

4. Turning to highway safety considerations, it appears to me that the principal function of Southleigh Road in this location is as a connecting route, linking the southern and eastern parts of Havant with Emsworth. In the vicinity of the appeal site, it does not provide a multiplicity of access points. There is a speed limit of 30 mph directly outside the proposed point of access, which changes to 40 mph approximately 10-15m to the east. The observations of the Council's Sustainable Transport Engineer indicate that previous measurements demonstrated instances of speeds in excess of 30 mph in the vicinity. My own assessment during my site visit suggested that vehicles passing the site were not generally driven at excessive speeds, but traffic was free-flowing.
5. It is stated in the appellant's Design and Access Statement (DAS), with reference to "Manual for Streets" (MfS), that sight lines of 2.4m x 43m can be achieved. This has not been shown on the application drawings. In the light of previously recorded traffic speeds, the Council's Transport Engineer has suggested that the use of this standard is questionable. I note the appellant's view that it is for the police to enforce the speed limit, although I consider it unrealistic to expect the resources to be available for continuous monitoring.
6. The DAS indicates that an appropriate standard for visibility is achievable by reducing the height of the boundary fence to 1m on each side of the proposed access. However, the grading of the access would result in it being at a lower level than the base of the fence at the point where it would cross the fence line. MfS indicates that car drivers' eye height could be as low as 1.05m. By reference to the submitted front and side elevations, I calculate that the height of the reduced sections of fence would exceed that of the access by approximately 1.3m at this point. Given the free-flowing nature of passing traffic which I observed, I am not satisfied that an adequate standard of visibility would be achieved at the site access, to ensure that the safety of users of the proposed access and other highway users would not be unacceptably compromised.
7. I also consider there are a number of other shortcomings in the detailed design of the proposed access. The submitted block plan shows an access width of 3.66m at the carriageway edge, reducing to 3.05m at the back of the bank, with retaining walls each side. As such, the turning radius for vehicles entering the site, particularly from the west, would be very limited. In order to negotiate this turn, vehicles would have to be slowed almost to a halt and there would be a possibility, especially with larger vehicles, that they would have to swing out partly on to the opposite side of the road to achieve the turn. On the basis that traffic would normally be free-flowing past the site, such manoeuvres would be likely to cause an unexpected interruption of traffic flow. This could result in hazardous situations. The sharp turn into the site involves a further difficulty for drivers in negotiating the relatively steep slope (stated to be approximately 13 degrees). The turning radius for vehicles leaving the site and turning left would also be restricted.
8. The block plan shows parking spaces for two cars within the site. The arrangement shown does not demonstrate how turning could be achieved within the site with two vehicles present. Given the shortcomings of the access arrangements which I have described above, any possibility of vehicles having

to be reversed onto the carriageway would be likely to result in further, unacceptably hazardous situations.

9. The appeal property has the benefit at present of an existing vehicular access which links into a wider access to Southleigh Road, which it shares with other neighbouring premises. In my assessment, this joint access has considerable advantages in highway safety terms over the proposed access. It is relatively level, wide enough for two vehicles to pass, wider turning radii, and it provides adequate visibility in both directions along Southleigh Road and of the junction with Eastleigh Road. Given the nature of traffic conditions on Southleigh Road, the existing grouped access is in my view preferable to a potential proliferation of individual access points. Turning movements at this location would not be unexpected. I note that the DAS indicates that access to the appeal property is often blocked by vehicles associated with the neighbouring properties, but given the available space and width of the joint access, I can see no reason why this difficulty cannot be resolved. This consideration does not in my view outweigh the significant disadvantages of the appeal proposal which I have identified and I see no over-riding need for the proposed new access.
10. I conclude on the second main issue that the proposed access fails to achieve satisfactory standards of design and as such it would detract from the safety and convenience of residents of, and visitors to, the appeal property, and other passing highway users. In so far as it would fail to provide safe and suitable access to the site or ensure the safe and efficient operation of the local road network, I consider it conflicts with the NPPF (paragraphs 32 and 35) and Core Strategy Policy CS20. I have taken all other matters which have been raised into account, but for the reasons given above in relation to the second main issue, I conclude that the appeal should be dismissed.

W D Munday

INSPECTOR