

Context

1. The Inspector is asked to note that there is no suggestion in the E Notice that the access to the site is not adequate or that highway safety is a concern.
Nevertheless, this issue has been raised by Mr Stone, so is addressed briefly.
2. Visibility splays
It is accepted as fact that the site access leads out on to Gravel hill, where the road is subject to a 40mph speed limit, and that visibility is limited in each direction due to the relative proximity of a hedge on either side to the carriageway.
However, this situation is not uncommon in rural areas, where many accesses and road junctions do not meet modern text book standards. A balanced judgement is called for.
3. The Inspector is asked to note, when visiting the site that Gravel Hill is a long straight road (proximate to the site) such that there is a clear line of sight for the drivers of any approaching vehicle to see vehicles that might be emerging from this access.
4. Any vehicle emerging is aware of the road ahead and only likely to approach the junction at very low speed, due largely to the bumpy, unsurfaced nature of the track.
5. Hence vehicles will treat this as a 'stop' situation and, when ready to pull forward, will 'edge' into the road.
6. Gravel Hill does have a pedestrian footpath on both sides of the junction, which is approximately 1.2m wide on the south side and 1.5m wide to the north. This means that drivers do have limited visibility going forward from about 1.5 m to 2m back from the carriageway. As vehicles edge forward this increases substantially, in both directions.

7. The photographs on the following 3 pages illustrate the visibility available at approximately 2.4m, at 1.5m, and at the kerbline.

Professional Advice.

8. I have referred in my main proof to the advice of the highway authority in responding to two applications.
9. Application 19/00001/FUL relates to a planning permission granted for the increased activity (unrestricted B2 use) of Ceejay Systems located almost opposite the site but with its access about 150m to the south. The highway authority raised no objection to this increase in commercial activity. A copy of the report and site location plan follows.
10. Application 17/02213/FUL relates to the Gypsy and Traveller site immediately to the east of the appeal site, which uses the same access. This granted a variation of a planning permission granted in 2016 effectively giving full permission for the residential use of that site, with 3 mobile homes. There was no highway objection. A copy of the decision notice, the highway comments, and the approved site plan follows.
11. Finally, reference is made to government advice in relation to highway issues as set out in Paragraph 109 of the NPPF. This advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety. an application should not be refused unless the impact will be severe.
12. It is respectfully suggested that as the Enforcement Notice does not contain any reason referring to highway safety, and there has been no objection by the highway authority to the use of the access, then this impact is not unacceptable.

13. Finally, it is to be noted that the applicants have been using this access since 2010, without concern, and that Mr Stone has a preference to use this access over an alternative available to him.

Photos referred to above

From 2.4m



View south is limited but adequate to see if a vehicle is approaching



View north is also limited but adequate to see if a vehicle is approaching

From 1.5m



View south is extensive, almost to the entrance to Ceejay.

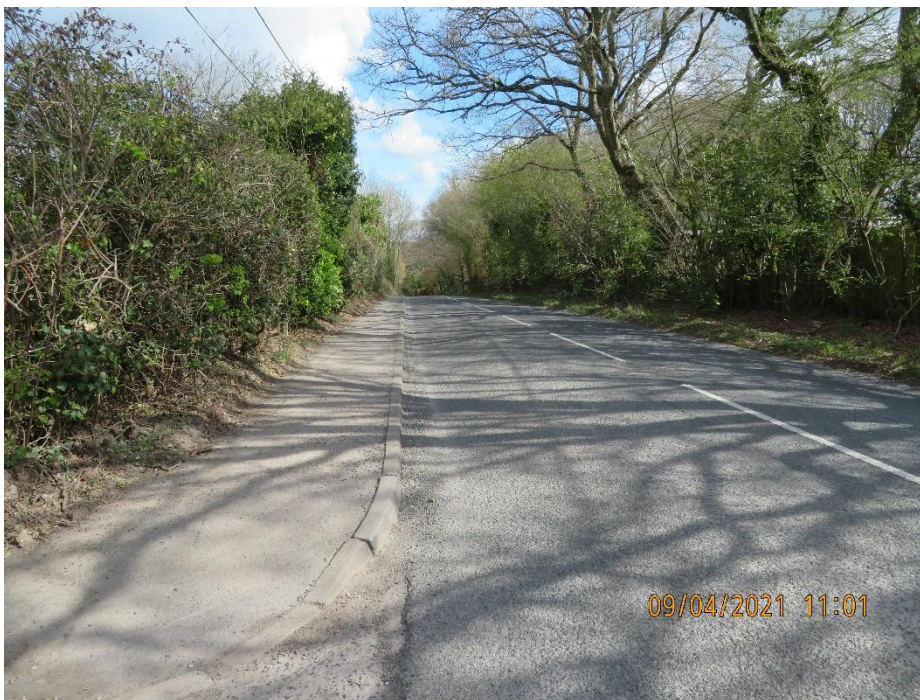


View north is also good

From kerbline



Very long view south



View also long to north (200m plus)