



Appeal Decision

Site visit made on 5 October 2017

by D Guiver LLB(Hons) Solicitor

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

Decision date: 18 October 2017

Appeal Ref: APP/N2535/W/17/3177804

Cross Roads Farm, Caistor Road, Middle Rasen, Market Rasen LN8 3JE

- 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 and Mrs Darkins against the decision of West Lindsey District Council.
 - The application Ref 135073, dated 5 October 2016, was refused by notice dated 19 December 2016.
 - The development proposed is a new access to the property.
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Decision

1. The appeal is dismissed.

Preliminary Issues

2. Since the date of the decision the Central Lincolnshire Local Plan 2017 (the Local Plan) has been adopted and therefore this appeal is determined in accordance with that Plan. The Council has not identified the specific policies that it believes should apply in place of Policy STRAT1 of the former West Lindsey Local Plan 2006 referred to in the decision notice. However, Policy LP13 of the Local Plan deals with highway safety and I have therefore considered this appeal against that Policy.
3. I have adopted the Council's description of the proposed development as this is more precise.

Main Issue

4. The main issue is the effect of the proposed development on highway safety in the vicinity of the appeal site.

Reasons

5. The appeal site operates as a kennels and is approximately 1.5 miles north of Market Rasen. The surrounding area is largely rural and therefore customers of the business are largely reliant on vehicles to deliver and collect their animals. The appeal site sits adjacent to Caistor Road, which is a busy, single-carriageway section of the A46. Access is by way of a vehicle crossover on the highway verge and this entrance sits close to the northern edge of the site.
6. The appellants state that the existing entrance is hard to find for customers travelling south. The proposal is for the construction of a new access point approximately 70 metres south of the existing entrance and close to the

southern edge of the site. The appellants state that the northern entrance would remain in use and the proposal would serve as an additional, secondary access point.

7. The Council accepts there are problems with the existing entrance and does not dispute the appellants' comment about customers finding it difficult to locate. However, the Council's concern is that the proposed access point would undermine highway safety in the area as any traffic exiting the site at that point would have a significantly reduced view to the north. In the vicinity of the appeal site the A46 is subject to the national speed limit and vehicles travel at speed past the site entrance.
8. Over a period of ten minutes or so from both the existing entrance and the location of the proposed southern access I observed traffic approaching from the north and south. The view to the south from either location was unimpeded as the A46 runs approximately straight for half a mile or so at this point.
9. However, immediately north of the existing entrance the A46 bends slightly to the right before cresting a small hill. Traffic travelling south can be seen as it tops the hill close to the junction with Top Road, some 200 metres or so to the north of the site.
10. From the location of the proposed access, oncoming traffic is only visible as it rounds the bend close to the existing entrance, which provides less than half the current visible distance. I estimated traffic approaching from the north became visible between four and six seconds sooner from the existing entrance than from the location of the proposed access.
11. Given the visibility problems for customers in locating the existing entrance, I consider it likely that the proposed southern location would become the principal means of access rather than a secondary entry point.
12. I consider that the proposed southern access would result in an increased level of traffic merging onto the A46 with significantly reduced visibility both of and for oncoming traffic. Given the speed of vehicles travelling on the road in the vicinity of the appeal site, any reduction in visibility is likely to have an unacceptable detrimental effect on highway safety.
13. Therefore, I conclude that the proposed development would be contrary to Policy LP13 of the Local Plan, which seeks to ensure that developments contribute to an efficient and safe transport network.

Conclusion

14. For the reasons given above, and taking into account all other material considerations, I conclude that the appeal should be dismissed.

D Guiver

INSPECTOR