The Planning Inspectorate

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Your Ref: PL/2023/07906
Our Ref: APP/Y3940/D/24/3344304

Planning Officer
Wiltshire Council
Development Services
County Hall, Bythsea Road
Trowbridge
Wiltshire
BA14 8JN

09 December 2024

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Mr David Smith
Site Address: 56 Archers Way, Amesbury, Wiltshire, SP4 7WQ

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure.

If you do not have internet access please write to the Customer Quality Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

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Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

Sean Ernsting
Sean Ernsting

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Planning Inspectorate

Appeal Decision

Site visit made on 19 November 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th December 2024

Appeal Ref: APP/Y3940/D/24/3344304
56 Archers Way, Amesbury SP4 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 Mr David Smith against the decision of Wiltshire Council.
- The application Ref is PL/2023/07906.
- The development proposed is the re-location of existing 3 no. garage doors from the rear of the property to the front elevation, blocking up existing garage door openings and extending existing dropped kerb.

Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed development on highway safety.

Reasons

3. The proposed development would involve the blocking up of three garage entrances to the rear of No. 56 Archers Way, and the provision of three new entrances on the front elevation, facing the street.

4. At present, the garages are accessed by utilising an archway to reach the rear courtyard area. The existing access does require vehicle users to cross the pavement. However, even taking into account of the wall that exists to the right of the access when exiting, the generous width of the archway means that visibility is reasonable. In contrast, it is clear from the approved plans that the proposed new entrances to the garages would be significantly narrower than the archway. As such, it seems inevitable that there would be less visibility than offered by the existing access arrangements, and that this could lead to an increased risk to pedestrian safety. In particular, it is likely that vehicle users would have to pull out onto the pavement before being able to see any pedestrians. It does not appear that the appellant has produced any technical evidence that could lead me to a different conclusion on this matter.

5. Furthermore, three new garage entrance ways would result in pedestrians having to navigate five vehicle crossover points in quick succession which also increases risk. The fact that there is a primary school very close to the appeal site enhances the importance of this additional risk as it is likely that there would be significant numbers of pedestrians, including small children, using the pavement at certain times of day.

6. I note that the appellant has stated that the existing garages are not usable due to the constrained space in the courtyard when other cars are parked there. However, even if that is the case, the proposed development would lead to a greater level of potential harm than would arise from cars being parked in suitable on-street spaces. The appellant has also suggested that a camera system could be installed to allow users of the garages to see pedestrians on a screen before moving their vehicles. However, if the screens were situated near to the garage doors, they would only be seen if vehicle users were exiting the garages in forward gear. This could not be controlled. In any event, it would not be possible to enforce the use and maintenance of the camera system via condition, and therefore this suggested course of action would not sufficiently mitigate the additional risk identified.

7. As a result, I am satisfied that the proposed development would have the potential to increase risk in relation to highway safety. As such, it would conflict with Policies 57 and 61 of the Wiltshire Core Strategy 2015, which in part, seek to ensure that new developments are well designed and that they can be accessed safely.

Conclusion

8. The proposed development conflicts with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal is therefore dismissed.

C Butcher

INSPECTOR