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## Appeal Decision

Site visit made on 6 August 2012

by **Mrs K.A. Ellison BA, MPhil, MRTPI**

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

Decision date: 11 September 2012

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**Appeal Ref: APP/H0738/A/12/2175625**

**58 Bassleton Lane, Thornaby, Stockton on Tees, Cleveland TS17 0AF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr M Tahir against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 11/2215/OUT dated 19 August 2011 was refused by notice dated 8 November 2011.
  - The development proposed is a single house.
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### Decision

1. The appeal is dismissed.

### Main Issue

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

### Reasons

3. The proposal is made in outline with access, layout and scale to be determined at this stage.
4. The appeal site consists of the lower part of the rear garden to No. 58. The Council makes no objection to the location of the proposed development or its relationship to adjacent properties and, given the spacious character of the surroundings, I see no reason to disagree.
5. The basis for the Council's refusal is that vehicular access to this part of Bassleton Lane involves crossing Thornaby Green to the north. At this point, along a stretch of some 300m, the carriageway is of substandard width, being some 3.75m at its narrowest point and without a footway. There is also inadequate forward visibility at the junction of Bassleton Lane and The Green. During my site visit I observed that conditions were not pedestrian friendly, with people and vehicles sharing this length of carriageway.
6. This access route already serves a considerable number of properties. In that context, I agree with the Appellant that the number of vehicle movements associated with a single house would be unlikely, in itself, to materially worsen existing conditions. However, there are several properties on Bassleton Lane which enjoy generous garden spaces and the planning history of this site and the surrounding area paints a clear picture of interest in bringing some of these

forward for development. In such circumstances, I agree with my colleague<sup>1</sup> that approval of one proposal could serve as a precedent for additional development which would further exacerbate existing traffic hazards.

7. In support of the proposal, it is contended that no precedent would be set owing to the characteristics of the appeal proposal itself. However, by its nature, this particular risk to highway safety would not be lessened simply because the proposal was not found unacceptable on other grounds, since design solutions might be found to enable other sites to meet the same standard. Also, although the purpose of this development may be to meet the needs of persons already resident at No. 58, planning permission runs with the land. As the Council points out, there would be no mechanism to restrict future occupation of the proposed house so that an increase in vehicle numbers would be likely to occur in due course.
8. Thus, even though this particular proposal may not lead to an immediate worsening of the hazardous conditions on Thornaby Green, I consider that its effect on highway and pedestrian safety would nonetheless be unacceptable in the longer term because it would make it difficult to resist other proposals for similar forms of development in the surrounding area. As a result, it would be contrary to Core Strategy policy CS3 (8) which, among other things, expects new development to be designed with safety in mind and policy HO3 (vi) of the Local Plan which requires residential development to make satisfactory arrangements for access.
9. For the reasons given above, I conclude that the appeal should not succeed.

*K.A. Ellison*

Inspector

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<sup>1</sup> APP/H0738/A/08/2063620

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