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T/APP/5252/A/76/958/G5
Date
29 JUN 1976

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR A B HAYNS
APPLICATION NO:- 101/75D

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council, to refuse planning permission for a vehicular access to a classified road at part of Manor Farm, The Common, Chipperfield, Hertfordshire. I held a local inquiry into the appeal on Wednesday 9 June 1976.
2. From my inspection of the site and surroundings and the representations made I consider that the determining issues are first whether or not the proposed access would adversely affect the character of the Conservation Area in which the appeal site is located and second whether the proposal would give rise to additional hazards to road safety at the classified road The Common.
3. The appeal site is situated to the north of The Common a class III road numbered C75 and to the east of the Manor House near the eastern extremity of the village of Chipperfield. It comprises an area of land which the appellant agrees presents a frontage of 10 ft to the highway and is about 40 ft in depth separated from the appellant's property by a close boarded fence approximately 4 ft high and consists of uncultivated land to the side of the road. The Common is a gently winding road with a carriageway approximately 20 ft wide running between grass verges with no kerbs or footways. In the region of the appeal site the road falls to the east and is subject only to the national 50 mph speed restriction.
4. In respect of the first issue it is apparent that some alteration to the verge and uncultivated area to the side of the road would be necessary if an access were to be constructed not least by the provision and maintenance of visibility splays. Visibility splays of 4.5m x 91m in both directions as recommended by the highway authority would necessitate the removal of several hazel bushes and the clearance of scrub. In my view the clearance of the verge, provision of a white painted 5 barred field gate at the rear boundary of the appeal site and construction of a vehicular access finished with an appropriate surfacing material would not detract from the pleasant appearance of the Conservation Area. An access formed on these lines would be similar to many of the accesses serving properties in the vicinity of the appeal site.
5. The second issue raises the matter of visibility splays required in the interests of road safety. Site inspection shows that with the clearance of bushes and scrub

the visibility splays of 4.5m x 91m recommended by the highway authority can be obtained and I accept this standard as satisfactory but minimal bearing in mind the gradient and alignment of the road and the present speed restriction. Evidence produced by the Council shows the land over which the visibility splays are required to be made to be wholly in their ownership none of this land being owned or controlled by the appellant or the highway authority. Since the appellant is not in control of the area of land required to be provided and maintained for visibility splays it is not possible to impose a condition in respect of this most necessary safeguard.

6. In spite of the fact that I consider the proposed alterations to the Conservation Area to be such that no visual detriment would result if the proposal were to be implemented, it is not possible at the present time to impose a condition requiring the provision and maintenance of visibility splays at the junction of the proposed access with the highway. The construction of the vehicular access without having achieved the necessary vision splays would result in serious hazards to road safety at The Common.

7. I have taken into account all other matters raised but they do not outweigh the considerations which have led me to my decision.

8. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Gentlemen
Your obedient Servant

A. J. Bingham.

A J BINGHAM TD DiplArch ARIBA
Inspector