
Appeal Decision

Site visit made on 3 May 2016

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 1 June 2016

Appeal Ref: APP/X1355/W/16/3142939

Rear Garden of No. 22 Wear View, Hunwick, Durham DL15 0LE

- 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 Stuart Henry against the decision of Durham County Council.
 - The application Ref DM/15/02532/FPA, dated 13 August 2015, was refused by notice dated 12 October 2015.
 - The development proposed is construction of new dwelling on former garden.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is located to the rear of the terraced properties of Wear View, with access to the site being provided from the B6286 via lanes running between and along the rear of the terraces. At the time of my site visit, the site provided parking for vehicles as it contained a garage and a driveway. The appeal proposal would provide off-road parking provision for up to four vehicles.
 4. The terraces of Wear View adjoin the B6286 and on-street car parking is provided in front of the houses. The access lanes leading from this road to the site are narrow and without separate pedestrian footways. Vehicles and pedestrians using these lanes would have restricted visibility due to the proximity of the terraced house walls immediately adjacent to the highway and elsewhere. The parking upon the B6286 limits considerably the available visibility when joining or indeed leaving this road. As a consequence, the creation of a new dwelling on the appeal site would be likely to increase levels of vehicle and pedestrian movements through an access route that would be likely to be prejudicial to highway safety.
 5. The appellant has stated that the dwelling would be used by a member of his family generating no additional traffic and that parking provision within the site would be retained for the occupiers of 22 Wear View. However, there is no mechanism to ensure that this would necessarily be the case as visitors and deliveries to the new dwelling would still be generated and despite the current
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intentions of the appellant the proposed dwelling could be occupied by a separate household at some stage generating greater independent traffic flows.

6. Should the appeal proposal be occupied as a dwelling then this would mean that parking provision for no 22 would be displaced. It is most likely that the displaced vehicles would be parked to the front of Wear View on the B6286. This would increase parking on the highway and reinforce the subsequent detrimental impact on visibility for drivers traversing the junctions with the B6286.
7. A separate dwelling in this location would also increase pedestrian movements from residents and visitors along the rear lanes. Due to the restricted nature of the lanes and limited visibility at junctions, any increase in pedestrian movements is likely to lead to an increase in conflicts between pedestrians and vehicles to the detriment of highway safety.
8. The appeal scheme would therefore be contrary to Policies GD1(xx), H26(i) and T1(i) of the Wear Valley District Local Plan 1997 which require development to provide safe access and which in terms of safe access requirements are broadly consistent with the National Planning Policy Framework.
9. I am mindful of the personal circumstances cited by the appellant, particularly in relation to the preferred accommodation required for his relative. However, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cross

Inspector