

Appeal Decision

Site visit made on 8 November 2016

by V Lucas-Gosnold LLB MCD MRTPI

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

Decision date: 25th November 2016

Appeal Ref: APP/J4423/D/16/3160323

2 Mawfa Crescent, Sheffield, South Yorkshire, S14 1AS

- 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 Graham Cope against the decision of Sheffield City Council.
 - The application Ref 16/00776/FUL, dated 25 February 2016, was refused by notice dated 16 August 2016.
 - The development proposed is to create off road parking and drop kerb.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. No. 2 Mawfa Crescent is an end of terrace dwelling. The side elevation faces towards Hemsworth Road which is a classified road. The dwelling is separated from the main highway by a pavement and a grass verge along which runs a hedgerow. The road is single carriage way, has a relatively straight alignment and there is a steady flow of traffic travelling along it.
 4. The development proposed would see the creation of off road parking in the rear garden area of No. 2. To facilitate access to this, an access off Hemsworth Road would be created. It is also proposed to install gates as part of the appeal scheme.
 5. Given that the road is busy with a steady volume of traffic travelling along it, it is important that drivers using the proposed access have a satisfactory line of sight in order to be able to judge when it would be safe to pull out of the proposed access. Although the alignment of the main highway is relatively straight at this point the proposed access would be situated close to the existing hedgerow. The hedgerow is quite dense, linear in form and extends close to the highway for some distance. When exiting the proposed access, the hedgerow would obstruct the sightlines of drivers when looking in the direction of oncoming traffic. As a consequence of visibility being restricted by the hedgerow, vehicles entering the highway from the proposed access would be likely to come in to conflict with other vehicles already travelling along the road and this would be harmful to highway safety. This is particularly as drivers
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travelling along Hemsworth Road would not necessarily anticipate a vehicle to be exiting a private driveway at this point.

6. Whilst it may be possible to prune or reduce the size of the hedgerow, given its linear form and length, I consider that a substantial section of it would need to be removed or altered in order to create a sufficient visibility splay to serve the proposed access. The hedgerow is on highway land and therefore not within the ownership or control of the appellant. Furthermore, Hemsworth Road also marks the boundary of a Conservation Area opposite, the character of which is defined by mature trees and open parkland. The hedgerow is an attractive feature in the streetscene which softens the edge of the housing estate and assists in visually assimilating it with the character and appearance of the CA. I therefore consider that removing or significantly altering the hedgerow would not be desirable in any event and there is no specific information before me to indicate that the land owner would consent to the proposed works necessary.
7. I note the appellant's reference to the use of a mirror to aid visibility but there is no specific evidence before me to indicate how this would work in practise or whether it would be sufficient to overcome the restricted visibility as a consequence of the hedgerow. I therefore attach limited weight to this consideration.
8. I appreciate that the appellant wishes to create off-road parking and whilst there would be some benefit attached to this consideration, it does not outweigh the harm that I have identified.
9. Accordingly, I conclude on this issue that the development proposed would be harmful to highway safety. The proposal would therefore conflict with policies H14 and T25 of the Sheffield Unitary Development Plan (Adopted March 1998), which together seek to ensure that new development provides safe access to the highway network.

Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

V Lucas-Gosnold

INSPECTOR