
Appeal Decision

Site visit made on 10 May 2017

by I Jenkins BSc CEng MICE MCIWEM

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

Decision date: 31 May 2017

Appeal Ref: APP/R4408/D/17/3170443

18 Roper Lane, Thurgoland, Sheffield, S35 7AA

- 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 Roy Stephen Wragg against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2016/1478, dated 18 November 2016, was refused by notice dated 20 January 2017.
 - The proposed development is described as: 1) demolition of part of existing low boundary wall adjacent to A629 Halifax Road to form a 4 metre wide opening; 2) construction of concrete parking and turning area to front and side of bungalow. The area to the front of the bungalow to be 8.4 metres x 8.4 metres. The area to be concreted to the side of the bungalow; 3) construction of new footway crossing to Highway Authority requirements to enable access to and from A629 Halifax.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider that the main issue in this case is the effect of the proposal on highway safety.

Reasons

3. No. 18 is a semi-detached bungalow, the southwestern elevation of which is set back from the northeastern side of the A629 Halifax Road beyond a low walled grassed garden. The proposal includes the use of that garden area and an area to the side of the bungalow as a car parking and turning area, accessed from Halifax Road through a new opening formed in the roadside boundary wall.
 4. Either side of the proposed driveway opening, the boundary wall of No. 18 is sufficiently low to ensure that intervisibility between drivers emerging from the site and pedestrians approaching along the adjacent footway would be satisfactory. It is unlikely that they would come into conflict.
 5. However, a short distance to the west of the property, the A629 bends sharply to the north. As a result, the intervisibility between a driver emerging from the site and others approaching along the A629 from the north would be limited. I have had regard to the view of the appellant that the proposed arrangement would be no worse than that at the driveway of Newholme, which is the neighbouring property to the east of No. 18. However, the proposal would
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increase the frequency and thereby the likelihood of drivers joining the highway as others round the bend a short distance to the west. Furthermore, the proposed driveway opening would be closer to the bend than that of Newholme, reducing the reaction time available to allow approaching drivers to take action to avoid a collision. I consider that the proposal would significantly increase the risk of accidents hereabouts.

6. I conclude overall, that the scheme would have a significant detrimental effect on highway safety. In this respect it would conflict with Policy CSP 26 of the *Barnsley Local Development Framework Core Strategy, 2011*, which, in keeping with the aims of the *National Planning Policy Framework* (the Framework), seeks to ensure that new development is designed and built to provide safe and convenient access for all road users.

Other matters

7. The northeastern boundary of the appeal site adjoins Roper Lane, which is a cul-de-sac. Whilst on-street parking is permitted around the cul-de-sac, the appellant has indicated that he is not always able to find a space close to his bungalow. I understand that this can be problematic, for reasons associated with disability and medical conditions, and such incidents cause him distress. The proposal would gain limited support from CS Policy CSP 26, by providing a more convenient dedicated access/parking arrangement for the appellant's vehicles and thereby addressing his concerns. However, in my judgement, those benefits would not outweigh the harm that the proposal would be likely to cause to the safety and convenience of highway users more generally, contrary to the aims of CS Policy CSP 26. Furthermore, I have not been provided with any evidence to show that the appellant has investigated the potential for the provision of a dedicated parking facility on, or accessed from, the cul-de-sac, which would be far less likely to result in conflicting vehicle movements. The absence of any evidence in this respect reinforces my finding.

Conclusions

8. I conclude on balance, it is likely that the benefits of the scheme would be significantly and demonstrably outweighed by the harm that I have identified and it would conflict with the Development Plan taken as a whole. The appeal proposal would not amount to sustainable development under the terms of the Framework. For the reasons given above, I conclude that the appeal should be dismissed.

I Jenkins

INSPECTOR