



Appeal Decision

Site visit made on 5 August 2019

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd August 2019

Appeal Ref: APP/C3240/W/19/3229464

61 Park Street, Madeley, Telford TF7 5JY

- 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 Rodney Hardman against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2019/0088, dated 30 January 2019, was refused by notice dated 29 April 2019.
 - The development proposed is a new three bedroom detached dwelling with 2no. off street car parking spaces.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are (i) the effect of the proposed development on highway safety in relation to the adequacy of sight lines from the proposed parking spaces and (ii) whether the proposed development would integrate effectively with the adjacent cricket club in respect of noise.

Reasons

Highway Safety

4. The appeal site forms part of a garden area on the west side of 61 Park Street (No 61) with the adjacent road to the north. Park Street is generally wide enough to let 2 vehicles pass each other, although this is not always possible on stretches where roadside parking is allowed. A narrow roadside pavement with no verges runs past the appeal site.
5. The appeal proposal includes a new vehicular access and 2 parking spaces to the west of the proposed house, close to the side boundary with the adjoining property, 60 Park Street (No 60). Both parking spaces would be perpendicular

- to the road with no turning space, thereby requiring drivers to either reverse onto the road or to stop on the carriageway and reverse onto the appeal site.
6. A brick wall with taller bushes behind runs against the roadside pavement and along the frontage to No 60 up to the appeal site boundary. By reason of its height and proximity, this wall and vegetation would restrict car drivers' visibility to the west when leaving the proposed parking spaces, particularly the space nearest to the boundary. The 2 main parties provide different views on the exact level of visibility that would be achievable. However, the appellant accepts that the splay from the parking space nearest to the side boundary would not comply with the 2.4m x 43m splay measurements, the minimum requirement of the Council's Highway Officers.
 7. Double yellow lines restrict on-road parking in front of and close to the appeal site, thereby reducing the likelihood of parked vehicles obstructing visibility. However, parking restrictions stop in front of No 60, allowing on street parking on both sides of the road at this point. On my site visit, I observed on-road parking opposite no 60 leads to cars travelling from the west having to move towards the centre and right-hand side of the road in order to pass parked vehicles. Views of such vehicles from the proposed parking spaces would be significantly restricted by the front wall and vegetation at No 60, particularly if reversing out onto the road. Consequently, restricted visibility to the west would be likely to lead to cars dangerously pulling out in front of on-coming traffic, significantly undermining highway safety.
 8. No 61 is set forward in its plot and on the inside of a bend, and so would restrict drivers' visibility to the east. The appellant suggests the extent of visibility is greater than the Council's calculations, but nevertheless accepts the splay would not comply with the aforementioned minimum requirement. Average speed may be below the 30mph speed limit as vehicles from the east are travelling up-hill, around a bend and away from an area with some traffic calming. However, no speed survey has been carried out which firmly demonstrates that this is the case.
 9. Restricted visibility to the east from the proposed parking spaces would cause drivers to edge cars out onto the road to try and achieve clearer views of on-coming traffic. When travelling westwards towards the appeal site, forward visibility is curtailed by No 61 as well as the bend and rise in the road. The combination of restricted visibility from the proposed parking spaces and limited forward visibility when travelling towards the appeal site from the east would lead to a significant risk of accidents, to the detriment of highway safety.
 10. The appellant claims the shortfall in achievable visibility against the minimum requirement is marginal and there are mitigating circumstances that would justify non-compliance. Regardless of the level of shortfall, road conditions in the vicinity of the appeal site would result in hazardous car movements leaving the proposed parking spaces, which would have an unacceptable effect on highway safety.
 11. For the reasons outlined above, I conclude that the development would cause significant harm to highway safety in relation to the adequacy of sight lines from the proposed parking spaces. Consequently, and in this regard, it would be contrary to policies C4 and C5 of the adopted Telford and Wrekin Local Plan 2018 (TWLP) which aim, amongst other things, to ensure development is safe and does not cause unacceptable harm to highway safety.

Noise

12. A cricket ground clubhouse is directly to the rear of the appeal site. The cricket club hosts various events during the year and is available for private hire and therefore is likely to be the source of noise that lasts into the evening and night.
13. The appellant suggests that evening activity has declined, although the evidence indicates the clubhouse stages evening events from time to time. Without an appropriate survey, I am uncertain whether noise generated from such events would unacceptably affect the living conditions of the occupiers of the proposed dwelling, and if so whether noise mitigation measures may be required. The presence of other residences closer to the clubhouse does not remove the need to provide such a survey, as noise may affect these properties differently to the appeal development.
14. As such, I find insufficient information has been provided to demonstrate the development would integrate effectively with the adjacent cricket club in respect of noise. Consequently, the proposed development would not be in accordance with policy BE1 of the TWLP and the National Planning Policy Framework, which amongst other things, aim to ensure new development integrates effectively with existing community facilities

Conclusion

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

Jonathan Edwards

INSPECTOR