



Appeal Decision

Site visit made on 3 September 2019

by J M Tweddle BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th September 2019

Appeal Ref: APP/A4520/D/19/3233659

121 Beaconside, Marsden, South Shields, Tyne & Wear NE34 7PT

- 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 Raymond Bardwell against the decision of South Tyneside Metropolitan Borough Council.
 - The application Ref ST/0027/19/HFUL, dated 25 March 2019, was refused by notice dated 6 June 2019.
 - The development proposed is described as 'extension at the side and front of dwelling house to provide garage/store, kitchen/diner, W.C. and utility at ground floor level only.'
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Decision

1. The appeal is allowed and planning permission is granted for an extension at the side and front of the dwelling house to provide garage/store, kitchen/diner, W.C. and utility at ground floor level only at 121 Beaconside, Marsden, South Shields, Tyne & Wear NE34 7PT in accordance with the terms of the application, Ref ST/0027/19/HFUL, dated 25 March 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan and Existing Plans and Elevations (Sheet 1), Proposed Ground Floor (Sheet 2), Proposed Front Elevation (Sheet 3), Proposed Side and Rear Elevations (Sheet 4) and Proposed Site / Roof Plan (Sheet 5) all received on 28 May 2019.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Main Issue

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

Reasons

3. 121 Beaconside is located on a residential cul-de-sac which is accessed via a shared surface highway. The Council state that a 1.8 metre service strip exists inside the boundary of the site and forms part of the adopted highway.

4. The Council's Supplementary Planning Document 9: Householder Developments (the SPD) specifies that the minimum driveway length for off-street parking should be 5 metres where there is a garage with a roller shutter door. The proposed alterations and extensions to the property would reduce the existing driveway length from 10 metres to approximately 6.8 metres.
5. However, the Council is of the view that the adopted service strip, which runs across the bottom of the drive, would further reduce the length of available driveway to approximately 4.5 metres at its shortest point. It considers that any vehicle parking within the service strip, as a result of the proposal, would represent an obstruction to the public highway. The Highway Authority offer an objection to the proposal on this basis.
6. I accept that the reduced length of the driveway may result in a parked car slightly overhanging the adopted service strip and in doing so this may result in a technical obstruction of the public highway. However, as this would not interfere with the passage of pedestrians along the street or impede the flow of vehicular traffic along the shared surface, I do not see any resultant adverse effects on highway safety.
7. If a vehicle were to overhang the service strip, or indeed block it completely, and thereby restrict access to it, this would be a matter for the Highway Authority and its regulatory functions. It does not follow that this would automatically result in a highway safety issue.
8. Consequently, while the proposal would not meet the technical requirements of the SPD, I find that the proposal would not adversely effect highway safety. It follows, therefore, that I find no conflict with Policy DM1 of the South Tyneside Local Development Framework Development Management Policies which, amongst other things, seeks to ensure that development proposals do not result in adverse impacts on highway safety.

Conclusion

9. For the reasons I have set out, and taking into account all other matters raised, subject to conditions required to provide certainty and to safeguard the character and appearance of the host dwelling, I conclude that the appeal should be allowed.

Jeff Tweddle

INSPECTOR