
Appeal Decision

Site visit made on 18 March 2020

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/M4510/D/20/3244491

230 Newburn Road, Newcastle upon Tyne NE15 9AE

- 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 Michael Nixon against the decision of Newcastle-upon-Tyne City Council.
 - The application Ref 2019/1185/01/DET, dated 25 August 2019, was refused by notice dated 18 October 2019.
 - The development proposed is a new driveway to the front of the property and a new drop kerbing to suit.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The proposed location of the driveway, which would require vehicles to cross the pedestrian footpath via a dropped kerb referred to in the description of development, is in close proximity to both a small roundabout and a pedestrian crossing point on the adjacent Newburn Road.
4. The consultation response from Transport Development identified that there have been five accidents recorded within the past five years at this junction. Furthermore, the response identifies that visibility is reduced by the existing boundary wall and hedge at the appeal site and by cars parked in the layby adjacent to the appeal site.
5. The submitted plans show that the proposed driveway and parking area on the site is large. However, I have not been provided with any substantive details to support the Appellant's assertion that there is sufficient space to allow a car to be turned as to allow vehicles to enter and exit the site using a forward gear. While large, it does not appear to me that the parking area is of sufficient size to reasonably allow a vehicle to turn around. Consequently, the use of the proposed new vehicular access would result in vehicles reversing either onto or off the road.
6. That the road on to which the driveway would access has a history of accidents is not disputed by the Appellant. I have not been provided with any details of the accidents and while the Appellant has stated that none of these accidents

related to vehicles reversing off driveways, nonetheless the history of accidents in this area identifies a clear highway safety issue. At the site visit, that was carried out in the morning of a typical weekday, albeit in the early stages of the COVID-19 pandemic when some workers had stayed at home, I observed that the road was well used and that vehicles approached the roundabout at some speed.

7. The Appellant refers to a number of examples of driveways with dropped kerbs in the immediate locality of the appeal site and notes that, with only a few exceptions, there is no history of planning permission having been sought or granted for these works. At the site visit I observed numerous examples of these dropped kerbs and I noted that the examples referred to by the Appellant do not appear to have been carried out informally, that is they have been finished to a high standard. The absence of any formal planning permission is therefore curious but the presence or otherwise of these dropped kerbs is not determinative of this appeal.
8. At the site visit I observed that the layby to the side of the road immediately outside the appeal site allows a number of cars to park off the road. The Appellant states that there is not sufficient space to accommodate all of the cars of local residents, and, in such circumstances, I am aware that this often results in residents parking on adjacent side streets. The presence of the layby creates an additional obstruction, specifically the parked cars blocking the view of a driver accessing or existing the proposed driveway. I acknowledge however that the layby also creates a gap between the proposed driveway and the road.
9. On balance, because it has not been demonstrated that the proposed development would not require vehicles to reverse onto or off the highway and as a result of the location of the appeal site in close proximity to both a pedestrian crossing point and a roundabout on a well-used road where vehicles approach at some speed and where accidents have been recently recorded, I find that the proposed development would be harmful to highway safety contrary to saved policy T7.1 of the Newcastle upon Tyne Unitary Development Plan, Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 and the provisions of the National Planning Policy Framework.

Conclusion

10. For the reasons given above, the appeal is dismissed.

Mark Brooker

INSPECTOR