



Appeal Decision

Site visit made on 13 July 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2020

Appeal Ref: APP/N4720/W/20/3245826

Land Adjacent to Romany Cottage, Howden Clough Road, Morley, Leeds LS27 0LP.

- 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 J Taylor against the decision of Leeds City Council.
 - The application Ref 19/04496/FU, dated 5 August 2019, was refused by notice dated 6 December 2019.
 - The development proposed is one detached house and garage.
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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 which differs from that on the Council's decision notice. In Part E of the appeal form it is stated that the description of development has not changed and 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 Issue

3. The main issue in this appeal is the effect of the proposal on highway safety.

Reasons

4. The appeal site is accessed from Howden Clough Road, which is identified by the Council as a Strategic Route. The site is also located in close proximity to a signalised crossroads. I saw that this Strategic Route was well trafficked and there were significant traffic movements associated with the crossroads. Access to the site is provided via an existing dropped kerb crossing, although based on what I have seen and read this does not appear to be in frequent use as Romany Cottage is served separately by a nearby access.
5. The vehicular access into the site would be convoluted, as the dropped kerb is offset from the site resulting in a dog-leg access route. Even if the telegraph pole at the access is removed, the route into the site would be constrained with the result that vehicles would undertake awkward manoeuvres as they enter or leave the site. The need for vehicles to manoeuvre as they access the site is likely to lead to disruption to the flow of traffic as well as increasing the

potential for collisions between passing traffic and vehicles accessing the site. As a result, this would cause issues relating to the safe and efficient operation of the highway network due to the nature of the manoeuvres, the high flow of traffic, and the proximity to the crossroads.

6. Vehicles turning right to enter the site would also need to traverse two lanes of traffic. Drivers waiting for a gap in the traffic to turn into the site would lead to a delay in the flow of vehicles along this Strategic Route and in close proximity to the crossroads. An existing vehicular access opposite the appeal site is also likely to lead to conflict with vehicles waiting to turn into the site.
7. Furthermore, the awkward access arrangement and the associated vehicle manoeuvres may lead to conflict with users of the pavement, thereby increasing the possibility of collisions between pedestrians and vehicles.
8. Whilst there are vehicular access points closer to the junction, they appear to be of a historical nature and do not justify the provision of a further inappropriate access.
9. I acknowledge that the number of vehicle movements associated with a single dwelling would be limited and that turning space would be provided within the site. However, these factors would not mitigate the effects of the inappropriate nature of the vehicular access and the sensitivity of this location.
10. I conclude that the proposal would lead to significant harm to highway safety due to inadequate vehicular access. The proposal would therefore be contrary to the highway safety requirements of Policy GP5 of the Leeds Unitary Development Plan review 2006 and Policy T2 of the Leeds Core Strategy 2014. The proposal would also conflict with the advice of the Council's Street Design Guide Supplementary Planning Document 2009 in respect of the provision of private drives.

Other Matters

11. The appellant states that the site was formerly part of a row of terraced dwellings. However, these were demolished a significant period of time ago and do not establish a principle for the residential development of the site under current highway conditions.
12. The appellant also contends that the site is previously developed land and that the proposal would provide a new dwelling with good access to services. However, whilst that may be the case, these benefits would be limited due to the scale of the development and would not outweigh the identified harm to highway safety, even allowing for the regeneration aspirations of the Council

Conclusion

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

David Cross

INSPECTOR