
Appeal Decision

Site visit made on 2 June 2020

by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th September 2020

Appeal Ref: APP/Q4245/D/20/3247053

13 Old Hall Road, Sale M33 2HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Matthew Rice against the decision of Trafford Council.
 - The application Ref 98992/HHA/19, dated 22 September 2019, was refused by notice dated 18 December 2019.
 - The development proposed is the removal of gravel and hedge from the front aspect of the house, putting in a tarmac driveway and lowering the curb onto the road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposed development upon the safe manoeuvring of a vehicle and the safety of pedestrians and vehicular users along Old Hall Road.

Preliminary Matter

3. The gravel materials and a large part of the hedge at the front of the dwelling have been removed. A new tarmac driveway has been installed.

Reasons

4. The appeal property is a traditional 2-storey semi-detached dwelling located next to Old Hall Road. To the front of the dwelling is an area of tarmac.
5. Old Hall Road is a busy road connecting Sale Moor to the M60. Outside of the appeal property it is part of a one-way gyratory system. A vibrant retail area lies around a bend no more than about 50 metres or so from the dwelling. Immediately in front of the dwelling is a reserve area for a bus stop measuring approximately 25-30 metres in length.
6. The development proposal comprises the removal of gravel and part of the boundary hedge from the front of the property, and its replacement with tarmac to form a driveway together with the installation of a drop curb to facilitate vehicle access to Old Hall Road.
7. The section of road outside the dwelling has double yellow line parking restrictions. The bus stop sign lies opposite the boundary between the 2 semi-detached properties and very close to the proposed driveway. A large

- plastic bin is positioned next to the bus stop sign and in front of the appeal property.
8. Just before the bus-stop reserve area Old Hall Road transitions from single to 2-lane. Vehicles are subject to a 30mph speed restriction. I am informed that there is a proposal within the emerging Neighbourhood Plan to reduce this limit to 20mph. However, I have not been provided with a copy of this plan and therefore accord this matter little weight.
 9. According to the Council the former front garden area measures around 4.2 metres from the front elevation of the dwelling to the boundary with the pavement. The Council's SPD3: Parking Standards and Design 2012 (SPD3) advises that a new driveway should be at least 5 metres in length from a blank wall.
 10. A photograph provided by the appellant shows that a family sized car can be parked within the confines of the driveway at an angle. According to the appellant this can be achieved without the need for excessive manoeuvring. However, SPD3 also advises that vehicles should crossover pavements where possible at right-angles to minimise the risk to pedestrians. This would be difficult to achieve given the space restrictions applying in this instance meaning that the car would be likely to crossover at an angle.
 11. Even if it were possible to achieve access at a right-angle, the risk to pedestrians, including those queueing for a bus, would still be very high given the proximity of the bus-stop sign to the driveway. The absence of adequate visibility splays cannot be satisfactorily mitigated by installation of a mirror which, in any event, might be subject to damage.
 12. It is likely that drivers will tend to increase their speed on exiting the retail area and entering the two-lane section around the bend. This would add a further element of hazard and increase the risk of an accident involving a vehicle manoeuvring out of the proposed driveway onto Old Hall Road.
 13. A new driveway with drop curb has been installed at 17 Old Hall Road. The entrance is opposite the right-turn lane from the gyratory arm leading onto Old Hall Road. However, this driveway can be distinguished from the appeal proposal in that it is about 10 metres beyond the bus-stop sign and very close to the end of the bus stop reserve area.
 14. Since it is further along Old Hall Road, drivers exiting the retail area have greater advance notice of any vehicles manoeuvring into or out of the driveway and therefore greater opportunity to slow down or change lane. But, in any event and irrespective of these considerations, each proposal must be assessed on its particular merits and I am not familiar with all of the relevant facts concerning No 17.
 15. Reference was also made to other driveways along the B5166 Sale to Sale Moor road and further along the A6144. Again, as I am not aware of the background facts for these cases, I am not in a position to properly assess their relevance to the determination of this appeal.
 16. For the above reasons the development proposal would be likely to harm the safety of pedestrians and drivers in the vicinity of the appeal property. The proposal would therefore fail to accord with Policy L7 of the Trafford Local Plan: Core Strategy 2012 which requires that new development incorporates

vehicular access and egress which is satisfactorily laid out having regard to the need for highway safety. Furthermore, it would fail to accord with the advice set out at Paragraph 109 of the National Planning Policy Framework that development should not cause an unacceptable impact on highway safety.

Other Matters

17. I note that the applicant and his partner are key workers with both needing convenient access to their car to get to work. Currently, they only have access to paid parking in a nearby car park which is less than satisfactory and raises issues over personal safety. However, whilst I am very sympathetic to their position the imperative of protecting other highway users overrides these concerns.

Conclusion

18. For the above reasons the appeal is dismissed.

William Walton

INSPECTOR