The Planning Inspectorate

Appeal Decision

Site visit made on 31 March 2021

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 April 2021

Appeal Ref: APP/V4250/D/20/3263685
147 Mosley Common Road, Worsley M28 1AH

- 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 Ronald Excell against the decision of Wigan Metropolitan Borough Council.
- The application Ref A/20/89566/HH, dated 18 July 2020, was refused by notice dated 14 September 2020.
- The development proposed is described as "domestic vehicle crossing over footway. Wigan council informed us that this road is classified, therefore we need to request planning permission before work can take place".

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed vehicle crossing upon highway safety.

Reasons

3. The appeal site relates to a terraced property with a small garden to the front enclosed by a brick wall. The proposed development seeks consent for a vehicular access crossing to provide access to a new driveway. Given the limited space available vehicles would be unable to enter and leave in a forward gear.

4. The appellant has provided photographs which they assert provide a truer reflection of the visibility of the site. They also state that the hedges next to the front door would be cut to improve visibility.

5. The Council highlights that Mosley Common Road is a key route network and they set out the visibility splays required due to the percentage of buses and HGVs that use the 30mph road. I observed on my site visit that the road had relatively constant traffic but acknowledge that this was only a snapshot during the day and the traffic flow could be different at other times. Nonetheless, the scheme would not achieve the visibility splays, required by the Council in a westerly direction, because the site is located close to a bend.

6. Vehicles travelling in an easterly direction would not have sufficient stopping sight distance to prevent conflict with vehicles leaving the driveway. Similarly, vehicles leaving the driveway would not have adequate sightlines of traffic

approaching from a westerly direction to safely avoid conflict with them. Thus, based on the evidence submitted, given that vehicles would not be able to enter and leave the appeal site in a forward gear, the road is a key route network and the proximity of the bend, there would be inadequate visibility splays in a westerly direction to allow a vehicle to safely leave the site.

7. The appellant states that other properties have similar and more severe visibility issues. He has not specified which access points he is referring to and therefore I am unable to make a comparison. On my site visit I did observe that there were other driveways close to the appeal site. However, these cannot be directly compared to the appeal scheme due to their distance to the bend and properties on the opposite side of the road have a different relationship with the bend. In any event, I have considered the appeal proposal on its own merits.

8. For these reasons, and based on the evidence presented, the proposal would harm highway safety. Consequently, it would conflict with Policies CP7 and CP10 of the Wigan Local Plan: Core Strategy (2013) which seek, amongst other matters, to ensure the provision of appropriate, well designed, convenient and safe parking for cars. It would also not comply with the National Planning Policy Framework which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

Conclusion

9. The proposal would therefore conflict with the development plan and there are no other considerations that outweigh this conflict.

10. For the reasons given above the appeal should be dismissed.

L M Wilson

INSPECTOR