



Appeal Decision

Site visit made on 2 November 2021

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2021

Appeal Ref: APP/W1525/D/21/3277465

47 Wood Street, Chelmsford, Essex CM2 9BQ

- 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 Jason Beyers against the decision of Chelmsford City Council.
 - The application Ref 21/00124/FUL was refused by notice dated 14 April 2021.
 - The development proposed is the formation of an access.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposal on highway safety on Wood Street.

Reasons

3. The appeal property is situated on Wood Street, a Main Distributor Road. At the time of my visit, whilst there were temporary road works outside the appeal property, this was a very busy road. It was clear that the volume of traffic was high and I see no reason to assume that this was unusual.
4. The proposal is for the formation of a vehicular access to a residential property. The Manual for Streets standard vehicular visibility splays cannot be met.
5. I sympathise with the appellant's requirement for off street parking and can understand the difficulties faced with having to park elsewhere. However, I consider it essential that the safety of drivers and pedestrians on Wood Street and drivers entering and leaving the property is of paramount importance. It is my opinion it is essential that drivers entering or leaving the property have to be able to do so in a forward direction in order to ensure this safety so that they are able to see vehicles approaching on the road. Therefore, I do not feel it appropriate to relax the required sight line provision.
6. The proposal would lead to vehicles reversing with restricted visibility onto Wood Street and in very close proximity to the zebra crossing. There is a strong probability that this would lead to increased pedestrian and vehicular

conflict, resulting in an unacceptable degree of hazard detrimental to the safety of both pedestrians and drivers.

7. In reaching my conclusion, I have had regard to all matters raised including examples of other vehicular accesses along Wood Street. The examples do not justify the addition of the proposed sub-standard access onto this busy highway. In addition, I do not consider the siting of traffic mirrors would overcome my concern, as they would be of minimal assistance to drivers.
8. For the reasons stated above, I conclude that the proposal would have an adverse effect on highway safety on Wood Street. Thus, the proposal would be contrary to the National Planning Policy Framework where it seeks to ensure that development proposals do not have an unacceptable impact on highway safety. Since the Council made its decision, the Framework has been revised. Nevertheless, it continues to seek to ensure highway safety.

J L Cheesley

INSPECTOR