
Appeal Decision

Site visit made on 10 October 2022

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 8 November 2022

Appeal Ref: APP/V2723/W/22/3298753

Holly Hill, Holly Hill Inn, Road From Hudswell Lane To Holly Hill, Richmond DL10 4RJ

- 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 David Stoke of Trust Inns Ltd against the decision of Richmondshire District Council.
 - The application Ref 21/00121/FULL, dated 12 March 2021, was refused by notice dated 19 January 2022.
 - The development proposed is described as full planning permission for change of use of part of existing external drinking area to new car park.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site consists of the Holly Hill Inn's side car park and its rear grassed outdoor seating area. The inn fronts Slee Gill and has one direct access to its car park which provides 23-spaces. The road is lit and has a 30 mile per hour speed limit. While it is relatively straight in front of the site, the road does bend quite severely towards Sleegill and Hudswell Lane respectively. During my site visit I saw that the road has a regular flow of traffic and none were observed to be excessively speeding.
4. The proposal would move the existing access nearer to the inn and provide a new grass reinforcement mesh surfaced car park on part of the rear grassed drinking area. The new and existing car park would be linked by a ramp. The proposal would increase the car park to 37-spaces, and this would result in a more intensive use of the access.
5. The Highway Authority considers that, to meet highway safety requirements, the access should have a clear visibility of 90m in each direction for a 2.4m setback from the edge of the carriageway. The visibility plan for the proposal shows that the clear visibility would be 90m to the west and 45m to the east. Based on my site observations I have no reason to doubt that these visibilities would not be achieved. I have no concerns about the visibility to the west, however visibility of oncoming traffic from the east would be severely restricted by the existing wall and building. No information has been provided to demonstrate that this reduced visibility would be acceptable.

6. On the basis that the proposed car park would significantly increase the potential number of vehicles using the proposed access, the lack of visibility could result in conflicts between vehicles exiting the appeal site and those travelling in a westerly direction along Slee Gill. I therefore consider the scheme would not provide safe access onto the highway and would result in unacceptable harm to highway safety.
7. The existing access currently provides poor visibility. The proposed access would be located closer to the inn however, it seems to me that in doing so it would bring the access closer to the bend in the road where there is restricted visibility.
8. The scheme would nevertheless create a better car park layout and more capacity which could reduce customer parking around the surrounding area when the existing car park would have been full. While these improvements would be benefits of the scheme, they would not justify the harm to highway safety arising from the intensification of the access and the limited visibility to the east I have identified.
9. In conclusion, the proposal would increase the risk of conflict between road users. It would thus harm highway safety. It would conflict with Policy CP4 of the Richmondshire Local Plan Core Strategy 2012-2028 which aims, amongst other matters, for new development not to cause significant adverse impact on highway safety.

Other Matters

10. The appellant indicates that the Council requested a number of extensions of time during determination, this is a procedural matter between the appellant and the Council and does not affect the merits of the case.

Conclusion

11. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

J Symmons

INSPECTOR