



Appeal Decision

Site visit made on 10 January 2023

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd January 2023

Appeal Ref: APP/J4525/D/22/3305985

55 Queen Alexandra Road, Sunderland SR2 9PA

- 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 Miss India Bolton against the decision of Sunderland City Council.
 - The application Ref 22/01196/FUL, dated 31 May 2022, was refused by notice dated 27 July 2022.
 - The development proposed is add driveway to property.
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Decision

1. The appeal is allowed and planning permission is granted to add driveway to property at 55 Queen Alexandra Road, Sunderland SR2 9PA in accordance with the terms of the application, Ref 22/01196/FUL, dated 31 May 2022, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans, titled:

55, Queen Alexandra Road – Retrospective Planning Approval for a new Driveway and Access – Proposed Ground Floor Plan.

Preliminary Matters

2. This appeal relates to a retrospective development that has been completed on site. The development I observed at my site visit appeared to accord with the submitted plans and details provided in the application form. For the avoidance of doubt, I have determined the appeal in accordance with these details.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the area and on highway safety.

Reasons

4. The appeal site is a semi-detached house in a predominantly residential area on the corner of the B1405 Queen Alexandra Road and Wallingford Avenue. The B1405 is a single carriageway road that serves as a bus route and is lined on both sides by dwellings. Grass verges incorporating tree planting sit immediately to both sides of the carriageway, with footpaths beyond this adjacent to the front boundaries of the dwellings. The majority of dwellings fronting the road feature driveways providing direct vehicular access to the B1405. Wallingford Avenue is a short cul-de-sac of approximately 14 dwellings accessed only from the B1405 and is again lined by verges with trees.

5. The development subject to the appeal has been constructed and comprises the creation of a driveway accessed from the corner of the B1405 and Wallingford Avenue. The house is raised above the adjacent roads. In order to create a level parking area from the access point, the area of garden adjacent to the front corner boundary has been excavated and a retaining wall installed. A ramp has also been constructed to provide level pedestrian access to the house from the parking area.
6. A red brick boundary wall with brick pillars either side of the vehicular entrance has been constructed to contain the parking area. The surface of the parking area is grey gravel with paving to the front edge, and cream render has been used for the retaining wall. The materials are all commonly found in the surrounding area, the scale and nature of the proposals do not appear uncharacteristic, and the development has not resulted in the removal of any trees or verges along the highway edge. Whilst vehicular entrances on street corners are not commonly found in the surrounding area, I do not find the development to result in any specific harm to the character or appearance of the area.
7. No new dropped crossing has been installed to provide vehicular access, with vehicles instead traversing the existing dropped pedestrian crossing and tactile paving at the end of Wallingford Avenue where it meets the B1405. The Council refer to the use of gravel for the driveway surface and the potential for stone chippings to be displaced into the highway, and particularly on to the tactile paving adjacent to the carriageway, where this could compromise the effectiveness of the tactile paving as a safety feature for those with visual impairment or mobility needs. At my visit I observed very limited evidence of stone chippings on the footpath, with any such overspill being largely constrained to the area directly adjacent to the driveway access point. I saw no notable evidence of material being displaced on to the tactile paving. The appellants had no prior warning of the date or time of my visit, and I undertook the visit unaccompanied. As such, there was no opportunity for the appellants to ensure the area was clear, and I am therefore satisfied that my observations represented a realistic everyday scenario. I also note several examples of gravel being used for driveway surfaces in the immediate area, including the adjacent dwelling of 2 Wallingford Avenue, with similar negligible effects. I therefore do not find the use of gravel for the driveway surface to be unacceptable.
8. The Council refers to a failure to demonstrate adequate visibility splays to achieve a safe and convenient access for all road users. However, no specific evidence of the methodology required to demonstrate these visibility splays has been provided. The site lies adjacent to the westbound lane of the B1405. Due to the angle of the driveway, emerging vehicles are afforded clear views of the westbound lane prior to emerging. Views of the eastbound lane are less clear, but due to its position on the opposite side of the carriageway this presents less of an immediate risk to vehicles emerging from the site. Visibility increases as vehicles edge closer to the carriageway to allow clearer views of eastbound traffic, including vehicles turning right into Wallingford Avenue. In this regard I am also mindful of the significant number of driveways that currently exist to provide direct access to the B1405, and I have been provided with no evidence that they have an adverse effect on highway safety. Sightlines along Wallingford Avenue are more restricted, though due to the

limited number of homes served and likely low speed of vehicles, there is unlikely to be a significant risk of conflict with vehicles.

9. I acknowledge that vehicles using the driveway will need to traverse a wider section of footway than most accesses in the surrounding area. Paragraph 112 of the National Planning Policy Framework (the 'Framework') seeks, among other objectives, to give priority to pedestrians and cyclists, to address the needs of people with disabilities and reduced mobility, and to minimise the scope for conflicts with pedestrians. The boundary treatments to the highway edges are reasonably low and would not significantly impede views of the adjacent footways from emerging vehicles. As such, I find no specific evidence that the proposals would be harmful to the safety of pedestrians, cyclists, or those with reduced mobility using the footways. I am also mindful that Paragraph 111 of the Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this regard, I find no evidence for any such adverse impacts that would prevent the delivery of a safe and convenient access.
10. For the above reasons, I find the development would have an acceptable effect on the character and appearance of the area and on highway safety, and would accord with Policies BH1, ST2 and ST3 of the Sunderland City Council Core Strategy and Development Plan 2015-2033 (January 2020). Together these policies seek, among other objectives, to ensure developments achieve high quality design and positive improvement, create safe, convenient and visually attractive areas for servicing and parking which does not dominate the development and its surroundings, ensure development has no unacceptable adverse impact on the Local Road Network, and ensure development provides safe and convenient access that would not compromise the free flow of traffic on the public highway, pedestrians or any other transport mode, including public transport and cycling. The development would also comply with the provisions of the Framework.

Conclusion and Conditions

11. Taking all above matters into account, I conclude that the appeal should be allowed subject to a condition relating to approved plans, for the purposes of clarification.

P Storey

INSPECTOR