

**APPEAL BY MR R PICKERING AGAINST THE DECISION OF THE COUNCIL TO REFUSE
OUTLINE PLANNING PERMISSION FOR ONE DETACHED TWO STOREY HOUSE AT
DUNNOCKSFOLD HOUSE, NEWCASTLE ROAD, MADELEY**

<u>Application Number</u>	16/00341/OUT
<u>LPA's Decision</u>	Refused by delegated authority on 21st June 2016
<u>Appeal Decision</u>	Appeal Dismissed
<u>Date of Appeal Decision</u>	20th January 2017

The Inspector found the main issue to be the effect of the development on highway safety.

In dismissing the appeal, the Inspector made the following comments:

- The dwelling is located to the south of the A525 Newcastle Road, which is subject to a 30 mph speed limit and is also a bus route. The carriageway width is 6.2 metres and there are narrow footways on both sides of the road.
- The appellant as part of his submission has provided a Traffic Survey Report which indicates that Newcastle Road carries around 6700 vehicles per day. The report also includes a speed survey to 85th percentile which recorded speeds of 29.5 mph west bound and 31.5 mph eastbound in the 30 mph area.
- The Council's main concern with regard the proposal relates to the restricted visibility for drivers when exiting the site access onto Newcastle Road. Both parties agree that using guidance in Manual for Streets, the visibility splays at the access should be 44 metres to the west (left) and 39 metres to the east (right). It was agreed by the parties that the required visibility splays cannot be achieved as a result of the narrow width of the footway and the boundary treatments and shrub planting to the side boundary of Netherleys, the neighbouring residential property.
- The appellant has argued that requiring compliance with Manual for Streets is unreasonable in this case as the appeal relates to a private access which has been considerably improved.
- The Inspector observed on her site visit the busy nature of the road and the on street car parking that takes place in front of neighbouring residential properties and the nearby chemist and post office. She observed a number of occasions where vehicles had to give way to oncoming traffic due to parked vehicles restricting the width of the road. Some of these vehicles stopped in front of the access to Dunnocksfold House effectively blocking it for a short period of time. On street parking in the vicinity of the appeal site would be likely to be greater in the morning and afternoon when parents drop off/ pick up pupils at the nearby High School. The presence of these parked vehicles further restricts the visibility from the access for an emerging vehicle.
- It was observed that some vehicles exceeded the 30 mph speed limit. Although the traffic survey results provided by the appellant suggest vehicle speeds only slightly above the 30 mph speed limit, the Inspector had also been made aware by a neighbouring resident that a speed survey undertaken in July 2016 by consultants for the HS2 project indicates average 85th percentile speeds of around 35 mph.
- It is considered important and necessary that adequate visibility splays are provided at this access to enable vehicles to safely enter and exit the site.
- The intensified use of an access with substandard visibility splays would cause harm to highway safety. The proposal would be contrary to paragraph 32 of the Framework which aims to ensure that a safe and suitable access can be achieved for all people.

Other Matters

- The appeal site is located within walking distance of the services provided in Madeley including the post office, chemist, butchers, schools, recreation space and public houses. It is also serviced by good public transport. The development would provide economic benefits during construction and potential new occupants would spend in

the local economy. The proposed dwelling would also contribute to the supply of housing in the area. However as the proposal is for a single dwelling the benefit to housing supply would be limited and moderate weight is attached to these economic and social benefits.

- It has been concluded that the appeal proposal would cause harm to highway safety. This weighs heavily against the proposal. Accordingly it is considered that the adverse impact of granting permission would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the Framework when taken as a whole. The application of paragraph 14 of the Framework does not therefore indicate that permission should be granted. The presumption in favour of sustainable development does not apply. In this case, the material considerations considered above do not justify making a decision other than in accordance with the development plan.

Recommendation

That the decision be noted.