



Appeal Decision

Site visit made on 13 February 2020

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th March 2020

Appeal Ref: APP/F4410/D/19/3241795

9 Town Moor Avenue, Town Fields, Doncaster DN2 6BL

- 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 Mrs Maria Blackie against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 19/01163/FUL, dated 12 May 2019, was refused by notice dated 5 September 2019.
 - The development proposed is described as construction of a driveway and widening of the gatepost to allow for off-street parking. We have previously had the application refused 17/00753/FUL but since then a neighbour has been granted permission for the same and we are able to provide evidence that we can turn safely within the area.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. There is no dispute between the parties that the proposal would preserve the character and appearance of the Town Field Conservation Area CA. I have no reason to disagree with such a view. The point of contention between the parties relates to matter of highway safety. Therefore, the main issue is the effect of the proposal on highway safety.

Reasons

3. The appeal property is a large two-storey semi-detached house with a red brick façade and natural slate roof. The property has a relatively long, narrow front garden enclosed by a low brick wall and hedge. Two separate pedestrian gates provide access from Town Moor Avenue.
4. Town Moor Avenue is a wide tree lined street characterised by predominantly semi-detached and detached 19th century houses. The properties sit on the northern side of Town Moor Avenue overlooking open space immediately to the south of the road and are of varying size and design.
5. The appeal proposal would see the removal of a section of the front boundary treatment of the appeal property to allow vehicular access into the front garden. In addition to the access, the proposal would provide a driveway which would extend up to the front elevation of the house and a turning head approximately halfway up the garden.

6. Based on the information I have before me, the turning head at the appeal property would be narrower than the proposed driveway and its entrance would be very close to the front elevation of the house. Consequently, I do not consider that there would be sufficient space to manoeuvre a car into the turning head and outward in a forward-facing direction. This would be further exacerbated if there were more than one vehicle using the drive because there would be insufficient space to park one car whilst allowing another to manoeuvre and egress and a forward-facing direction.
7. As a consequence, cars would be reversing out of the driveway across the footpath and verge and into the road. I saw during my site visit that there was a row of mature trees within the grass verge that separates the footpath from the road along Town Moor Avenue including one tree on either side of the proposed driveway. Furthermore, I noted the presence of a traffic island located to the south west of the appeal site. I consider that these elements combined with the inability of vehicles to leave the proposed driveway in a forward-facing direction would have a significant effect on a driver's ability to enter the highway safely with the potential to lead to serious injury.
8. I therefore conclude that the proposal would have an unacceptable effect on highway safety. In this regard it would conflict with the highway safety requirements of Policy CS14 of the Doncaster Council Core Strategy 2011-2028.

Other Matters

9. The appellant submits that there are a number of similar developments in the street and indeed, during my site visit I was able to see that there are a number of properties with vehicular accesses and driveways/parking areas within the property grounds. I note the appellant's specific reference to a recently approved access and driveway at no 13 Town Moor Avenue. Whilst I do not know the full circumstances under which this or indeed other proposals were permitted, based on the information provided I can see that the approved development at no 13 has a different configuration to that proposed in this appeal. Nonetheless I must determine this appeal on its own merits and the presence of similar developments in the vicinity does not in itself justify further harm.
10. I acknowledge the appellant's comments in relation to a police incident and previous collisions along Town Moor Avenue. However, I have not been provided with any substantive evidence from either of the main parties in this regard. Consequently, none of the other issues raised outweigh the harm I have identified with reference to the main issue.

Conclusion

11. For the reasons outlined above and taking into account all other matters I conclude the appeal should be dismissed.

J Hunter

INSPECTOR