



Appeal Decision

Site visit made on 23 February 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 March 2021

Appeal Ref: APP/H4505/W/20/3261233

Land rear Oakfield House, Streetgate, Sunnyside, Gateshead, Tyne & Wear NE16 5LQ

- 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 & Mrs J & B Plummer against the decision of Gateshead Council.
 - The application Ref DC/19/00902/FUL, dated 26 February 2020, was refused by notice dated 20 August 2020.
 - The development proposed is Erection of detached house and detached garage with tack room.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. On 19 January 2020 the latest Housing Delivery Test (HDT) results were published. These show that the Council's housing delivery was substantially below the expectations of the National Planning Policy Framework (the Framework). The presumption in favour of sustainable development in paragraph 11d) of the Framework is thus engaged. I provided both parties with the opportunity to comment on the HDT results. In its response the Council confirms that it is unable to demonstrate a 5-year supply of deliverable housing sites.
3. Gateshead Council formally adopted the Site Allocations and Development Management Policies Document: Making Space and Growing Places (MSGP) on 1 February 2021 during the course of the appeal. The MSGP forms part 3 of the local plan. The policies referred to in the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010 – 2030 (March 2015) (CSUCP) remain part of the development plan. Both main parties are aware of this and I am satisfied that no party has been prejudiced.

Main Issue

4. The main issue is whether or not the proposal would lead to harm to pedestrian and highway safety.

Reasons

5. The locality consists mainly of a linear pattern of residential homes that flank both sides of the arterial Gateshead Road (A692) leading from Gateshead to Consett, with some local amenities available to serve the community. The appeal site is the undeveloped garden land associated with, and located behind, Oakfield House.
6. Vehicular access would be taken from the single-track lane onto the A692 between the dwellings of Seaton House and Napier House and is currently shared with two other dwellings.
7. The proposed three-bed dwelling would inevitably increase the number of vehicular movements along this lane, together with visitor trips and pedestrian movements. Even though the former plant nursery that previously used the access lane has ceased trading, there is no evidence presented to make any valid comparisons, or evidence provided to substantiate the claim that the lane is 'lightly used'.
8. There is no passing place along the access lane that is narrow in width. It is the entry into the site where drivers, and pedestrians, would encounter the most potential conflict, made more significant as this is a busy classified A road, and carries a large volume of traffic. The proposal would intensify the use of the lane and increase this potential conflict.
9. As part of my wider consideration, I observed the location of the bus stop and post box within close range to the access, and both on the same side as the access. The footpath is considerably wider on this northern side of the road and given the location of the local facilities also on the northern side, would encourage pedestrians to use the pavement on this side. Moreover, I reason this would be more likely given there are additional houses further to the east of the appeal site whose occupants would inevitably walk to use these local facilities.
10. Therefore, bearing in mind these circumstances, and in order to prevent severe conflict at this entry, there is a need for a safe width at the mouth of the junction including increased width for a distance back along the lane to allow vehicles two-way movements.
11. I do not disagree with the Council's request for a minimum lane width of 4000mm for a 6000mm distance back, and nor does the appellant dispute this requirement. The mouth of the junction is proposed to be increased to 5000mm wide and demonstrated on the submitted plan, however, it has not been demonstrated that they have met all of the requirement.
12. With regards to the proposed driver visibility splay and the pedestrian visibility splay at the site, it has not been demonstrated on the submitted plan that this would be acceptably achieved. The proposed intensification of the access and the importance of acceptable visibility splays is made more acute given the vehicular access into Seaton House is located very close to the entry into the lane, and I observed that brick gate pillars and a telegraph pole serve to visually obstruct the sightlines out of the existing access.
13. Highway and pedestrian safety would not be safeguarded as a consequence. Attaching a planning condition with regards to approving details of boundary fencing would not satisfy my concerns to overcome the harm to highway and

pedestrian safety at this junction given the severity of the conflict I have identified. Therefore, it would not meet the tests of Paragraph 55 of the Framework.

14. In the words of the Framework, when considering development proposals, it should be ensured that the 'safe and suitable access to the site can be achieved for all users'. Based on the evidence before me, and therefore to conclude, the proposal would lead to conflict between vehicles, and pedestrians, and would not accord with Policy CS13 of the CSUCP to ensure development connects safely to transport networks, or the Framework that seeks to achieve a safe and suitable access to the site.

Other Considerations

15. The Council has confirmed that it cannot demonstrate a five-year supply of deliverable housing land. I have been provided with little evidence about the extent of the shortfall in supply.
16. The appellants bring to my attention a number of other CSUCP policies that they consider the proposal complies with, namely Policies CS1, CS10, CS11. These policies relate to achieving sustainable growth, delivering new housing targets and providing a range and choice of homes.
17. As the proposal would help to meet housing targets and would build an additional family home in the Borough, the proposal therefore accords with Policies CS10 and CS11, However, one new dwelling would provide a very limited contribution of new housing to the Borough.
18. The overarching aim of Policy CS1 is to achieve sustainable growth. Whilst the proposal may meet part of the objectives of this policy, the adverse impact on highway and pedestrian safety would not lead me to the view that the proposal is wholly compliant with this policy. I apply significant weight to this matter.
19. The appellants have also drawn my attention to Policy MSGP15, which relates to securing safe access to the development site. For the reasons set out above, I have found this not to be the case.
20. Another appeal decision brought to my attention by the appellants is located at a site in a different local planning authority area, and the circumstances are not comparable given the access in that case connects to a 'relatively lightly trafficked' C road. I therefore afford limited weight to that case. I can draw few comparisons between the appeal scheme and the example of a local housing scheme with extant approval as no details have been submitted to allow me full consideration, and thus I give this little weight.
21. The letter of support to the proposal is recognised although this would not lead me to reach a different conclusion on the matter of pedestrian and highway safety, and I apportion limited weight to it.

Planning Balance and Conclusion

22. I have concluded that the proposal would result in detrimental harm to pedestrian and highway safety. I have considered other development plan policies brought to my attention and furthermore, I attach moderate positive weight to the contribution the appeal site would make to boosting the supply of housing. However, as I have explained, the adverse impacts of granting

permission would significantly and demonstrably outweigh the benefits of a single new dwelling.

23. The proposal would therefore conflict with the development plan as a whole and there are no other considerations, including the Framework, that outweigh this conflict.

24. For the reasons given, the appeal is therefore dismissed.

Alison Scott

INSPECTOR