



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 22 October 2009

Subject: APPEAL UNDER SECTION 78 OF THE TOWN AND COUNTRY PLANNING ACT 1990 AGAINST REFUSAL OF PLANNING PERMISSION 08/04976/FU FOR CHANGE OF USE OF A DWELLING TO FORM 5 FLATS AT WOODROW HOUSE, STATION ROAD, METHLEY, LEEDS LS26 9ER

PERMISSION WAS REFUSED BY PANEL RESOLUTION ON 20th NOVEMBER 2008 DUE TO THE INTENSIFICATION OF USE AND THE RESULTING ADVERSE IMPACT THAT WOULD OCCUR TO HIGHWAY SAFETY. THE OFFICER RECOMMENDATION WAS THAT PLANNING PERMISSION BE GRANTED.

THE APPEAL WAS BY MEANS OF WRITTEN REPRESENTATION.

THE APPEAL WAS ALLOWED.

APPLICANT	DATE VALID	TARGET DATE
MR JOHN COONEY	N/A	N/A

Electoral Wards Affected:

Kippax & Methley

n/a

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Members note the report.

1. ISSUES IDENTIFIED BY THE INSPECTOR

- 1.1 The main issue considered by the Inspector:
- effect of the proposed development on highway and pedestrian safety.

2. SUMMARY OF COMMENTS

Highway and pedestrian safety

- 2.1 The Inspector acknowledged that the width of the private access to the development, would not be wide enough to allow the two-way passing of vehicles, but did not consider that the resultant occasional manoeuvres i.e. reversing down the drive or waiting on Station Road, would materially compromise highway and pedestrian safety, given the relatively low traffic levels and vehicle speeds expected. He saw no reason why, if a refuse vehicle could not get down the driveway, that the bins could not be collected on Station Road as probably happens now. He also considered that the driveway was wide enough to accommodate most emergency vehicles and the property was close enough for the fire service to access from Station Road if necessary.
- 2.2 The Inspector found the visibility of the driveway at the junction with Station Road to be compliant with guidance contained in Manual for Streets (MfS), including the issue of parking in visibility splays, which according to MfS does not appear to create significant problems in practice where vehicles speeds are low.
- 2.3 The Inspector confirmed that he carried out two visits to the site, during the daytime and evening, and was able to park at ease on both occasions. As such, he considered that any occurrence of overspill parking could be easily accommodated on Station Road.
- 2.4 The Inspector noted that a number of residents had concerns about the implications of the proposal on highway safety at the two junctions of Station Road and Methley Lane. Although he felt these were not issues for the Council, he confirmed that the visibility at the southern junction met guidance in the Design Manual for Roads and Bridges, and the visibility to the right, which is obstructed by vegetation, could be rectified by the highway authority to achieve adequate visibility, as suggested by the appellant.
- 2.5 The Inspector clarified that in reaching the above view, that he was mindful of the potential traffic generated by the existing dwelling, which could accommodate a large family with a number of vehicles. He also took into account the recent planning permission for change of use of the appeal property to four, two bedroom flats. He considered that one additional flat would not materially intensify the use of the access drive or Station Road to the detriment of pedestrian and highway safety.
- 2.6 The Inspector concluded that the proposed development would not result in material harm to highway and pedestrian safety and would not conflict with UDP Policies GP5, T2 and T24 or other guidance referred to.

3. DECISION

- 3.1 The Inspector allowed the appeal on 18 August 2009.

4. IMPLICATIONS

- 4.1 Significant weight was attached to the technical guidance contained in Manual for Streets.

Background Papers:

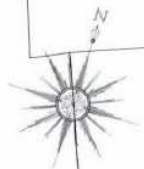
08/04976/FU



08/04976

STATION ROAD

LEEDS CITY COUNCIL
Please refer to Decision Notice
06 NOV 2008
REVISED



EXISTING ACCESS LANE

Speed Hump



Permeable Block
Parking for
Waiting Bays

Bitmac surface to
Manoeuvring Area

Garden waste
Bin Store
With Screens

Wood Row House
Cycle Store
Under store

Existing garden / Amenity Area to Remain

Existing garden / Amenity Area to Remain

100

Place

Ref	Date	Author	Description
01	10/01/07	MR J CONRY	Issue for Planning
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TJ BUILDING DESIGN LTD
 14, Church Lane, Rotherham, South Yorkshire, S66 7LX
 Tel: 0114 2961117 Fax: 0114 2961118
 Email: info@tjbuildingdesign.com
 Website: www.tjbuildingdesign.com

Project: **FOUNDATION OF AGREEMENTS**
WOODROW HOUSE, MENLEY
 152B BR

Client: **MR J CONRY**

Site: **152B BR**

Scale: **1:200**

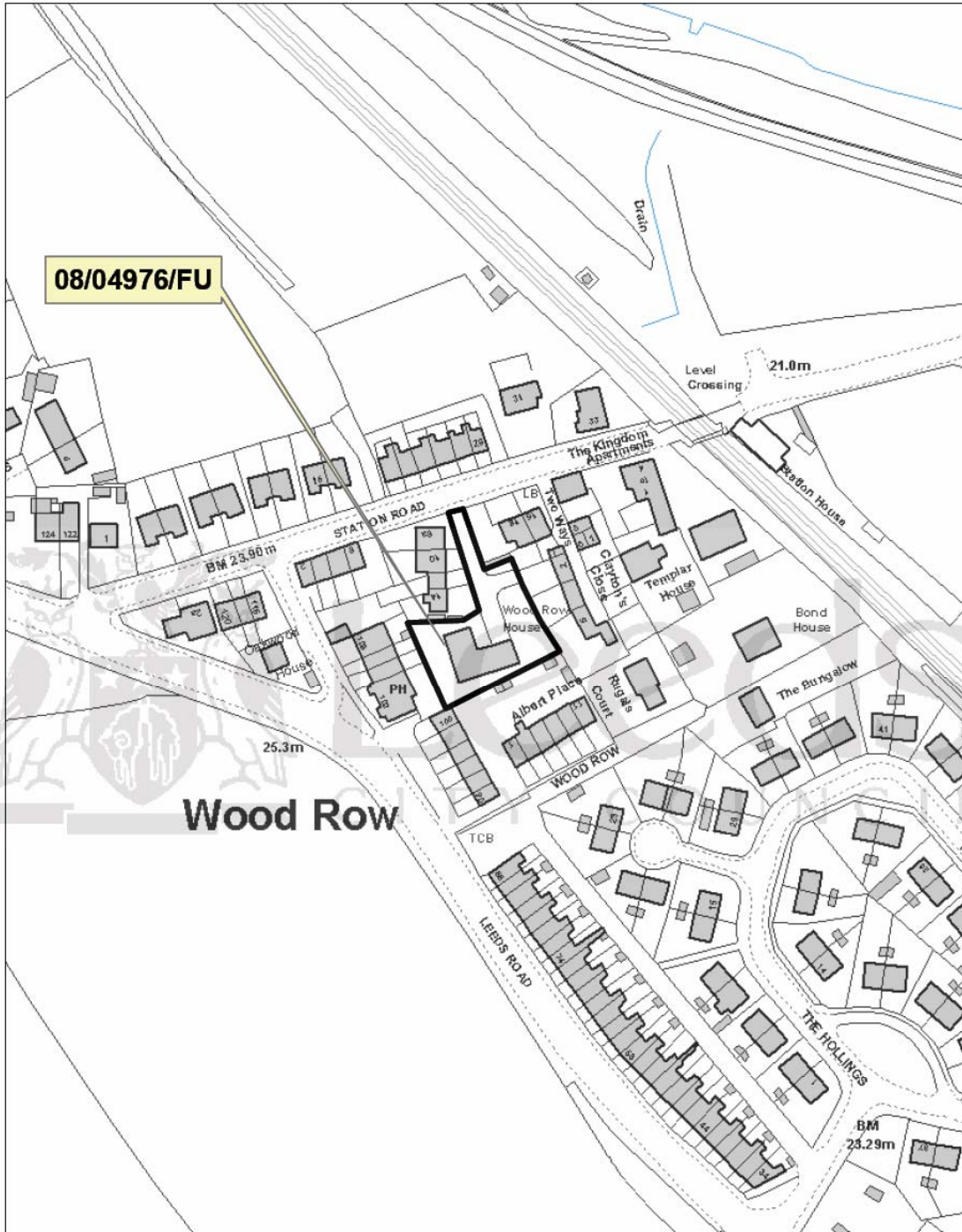
Date: **October 2007**

Drawn by: **MR J CONRY**

Checked by: **MR J CONRY**

Issue No: **006**

Ref: **01-018**



EAST PLANS PANEL

Scale 1/1500

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