
Appeal Decision

Site visit made on 26 June 2018

by R A Exton Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th July 2018

Appeal Ref: APP/R4408/W/18/3200763

Land off Milton Road, Hoyland, Barnsley S74 9BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Doug Shelley against Barnsley Metropolitan Borough Council.
 - The application Ref 2017/1285 is dated 21 September 2017.
 - The development proposed is described as proposed mixed Use development. Erection of 3 commercial units for uses A1 retail & A2 office.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the appeal proposal on highway safety, with particular regard to the ability of larger vehicles to enter and leave the site in a forward gear.

Reasons

Highway safety

3. The appeal site is within a car park on the southern side of Milton Road. At the time of my site visit the car park was full, with vehicles parked very close to the appeal sites boundaries. In order to avoid conflict with parked vehicles and those entering and leaving the car park I consider it would be necessary for vehicles to enter and leave the appeal site in a forward gear. As the appeal proposal relates to A1 and A2 uses it appears likely that both larger delivery and refuse collection vehicles would need to access the appeal site.
4. A number of the plans submitted with the planning application show the tracking of a vehicle turning within the appeal site. Although the appellant's written evidence refers to the scheme being designed around an 11.85m refuse collection vehicle, I have very limited detailed information to explain how this tracking has been plotted or assessed. There are no dimensions or radii shown on the plans. The method by which the tracking has been plotted is not shown either. In the absence of this information I am unable to assess the ability of a larger vehicle to turn within the site and the consequent effect on highway safety.

Other matters

5. I note the Council's lack of objection on other grounds and also an interested party's support for the appeal proposal. However, these matters do not outweigh the lack of detailed information required to assess the effect on highway safety.
6. I also note the appellant's comments on the Councils handling of the planning application. This however is not a matter for this appeal. There are other routes to pursue such grievances.

Conclusion

7. For the reasons given above I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR