



Appeal Decision

Site visit made on 15 September 2020

by William Cooper BA (Hons) MA CMLI

As he appointed by the Secretary of State

Decision date: 23rd September 2020

Appeal Ref: APP/W1509/D/20/3245154

166 Crossbrook Street, Cheshunt, Herts EN8 8JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Hutchings against the decision of Broxbourne Borough Council.
 - The application Ref: 07/19/0491/HF, dated 4 June 2019 was refused by notice dated 22 July 2019.
 - The development proposed is described as vehicle crossing (dropped kerb) on classified road.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of proposed development in the banner heading above is taken from the appeal form and decision notice as it is more succinct than that shown on the application form.
3. Since the Council's decision, the Borough of Broxbourne Local Plan 2018-2033 (2020) (LP) has been adopted. The LP replaces the Borough of Broxbourne Local Plan Second Review (2005) as the development plan. The wording of adopted Policy TM6 of the LP is the same as the previously cited draft version. I will determine the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposed development on highway safety.

Reasons

5. The appeal site comprises a semi-detached dwelling which is located within a row of residential properties fronting onto Crossbrook Street. A hospital, library and young people's centre are located a short distance to the north.
6. The proposed dropped kerb and crossover would lead onto the classified B176 Crossbrook Street. From what I saw during my site visit, albeit at a snapshot in time, Crossbrook Street has a substantial traffic flow, which includes regular bus services. This traffic flow runs between Waltham Cross and shops and facilities in Cheshunt, including the nearby Community Hospital. Hertfordshire County Council Highways Authority (HA) assess Crossbrook Street to be a busy road. The above together indicates a busy stretch of Crossbrook Street in the vicinity of the appeal property.

7. I note the parking layout submitted by the appellant with the appeal. However, there is no guarantee that future parking would be restricted solely to just one vehicle of the model shown. Moreover, the area of hard standing in front of the dwelling is no more than 6m wide and is contained by side boundary railings. This results in a tight space in which to attempt to turn a vehicle round. Furthermore, some vehicles drive in forwards onto frontages of other properties in the vicinity. The evidence of Hertfordshire County Council Highways Authority (HA) substantiates that this occurs. As such, reversing of vehicles in or out of the appeal property across the proposed crossover is likely. Substantive evidence, for example in the form of a vehicle swept path analysis, is not before me to demonstrate otherwise.
8. Such manoeuvring on and off the busy B176 would take place in the vicinity of a combination of junctions of Crossbrook Street with Hillside Road, Kelman Road and Laburnum Close. This proximity to the junctions would further exacerbate the risk of driver distraction during such vehicle movements.
9. I have had regard to the visibility splay drawing submitted with the appeal. However, there would be no guarantee of clear views being retained across neighbouring third-party frontages. This would result in risk from vehicles reversing off the property to pedestrians crossing the pavement and other road users, from vehicles reversing off the property.
10. The above combination of factors is likely to result in drivers reversing on and off the appeal property, onto a busy road in the vicinity of nearby side roads. This is within the context of a track record of traffic accidents¹ on Crossbrook Street, which have included vehicles turning in and out of side junctions.
11. Consequently, the proposal would be detrimental to free and safe movement of users of the highway and would harm highway safety. As such, it would conflict with Policy TM6 of the LP, which requires vehicle crossovers and dropped kerbs to safeguard pedestrian and highway safety. Furthermore, the proposal would not accord with the guidance in paragraph 7.2 of the Broxbourne Borough-Wide Supplementary Planning Guidance (updated 2013) which seeks, amongst other things, to safeguard road safety.

Other Matters

12. I acknowledge the presence of other crossovers in the vicinity of the appeal site. However, the detail of those other cases is not before me. Moreover, the proposal has its own circumstances and I assess it on its own merits.
13. The proposal would facilitate access for off-street parking at the appeal property, and thus reduce on-street parking pressure in the area. However, the benefit would be limited by the scale of the proposed development and would not outweigh the identified harm.

Conclusion

14. The proposal would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal is dismissed.

William Cooper INSPECTOR

¹ As identified by the HA.