



Appeal Decision

Site visit made on 8 March 2021

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: Wednesday, 17 March 2021

Appeal Ref: APP/J0540/W/20/3260710

3 Crawthorne Road, Eastfield, Peterborough PE1 4AA

- 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 R Mahamani of Consult Physio Ltd against the decision of Peterborough City Council.
 - The application Ref: 20/00249/FUL, dated 19 February 2020, was refused by notice dated 1 May 2020.
 - The development proposed is a dropped kerb to provide additional car parking space for disability vehicle parking, along with block paving and drainage grid.
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Decision

1. The appeal is dismissed

Procedural Matters

2. I have amended the description of development to the description provided on the Council's decision notice as it more accurately reflects the development that is sought.

Main Issue

3. The main issue is the effect of the proposal upon highway safety with particular regard to the free flow of traffic and pedestrian safety.

Reasons

4. The appeal site comprises an area of hardstanding to the front of No 3 Crawthorne Road, a detached single storey property in use as a physiotherapy clinic. It is located within a closely built up and predominantly residential street within the outskirts of the city centre. Crawthorne Road adjoins a large five-exit roundabout which serves a number of heavily trafficked roads, of which, a number serve the city centre. On-street parking to the front of the appeal site is restricted by way of double yellow lines that continue until the roundabout. There was demand for on-street parking on the opposite side of the highway, albeit, Crawthorne Road is sufficiently wide to allow vehicles to pass in both directions without the flow of traffic being impeded by parked cars.
5. Although my site visit provided only a snapshot of highway conditions, based upon my observations, Crawthorne Road received a constant flow of vehicular, bicycle and pedestrian traffic. I consider it would be reasonable to assume that these levels would increase at peak hours when traffic is at its heaviest.
6. In highway terms, Crawthorne Road is identified as a 'classified road'. Consequently, the proposed access would need to demonstrate the scheme

would be capable of achieving vehicle-to-vehicle and vehicle-to-pedestrian visibility splays to each side of the proposed access. The plans accompanying the application fail to show the requisite splays and although the Council stipulate that the scheme would be able to achieve the requisite vehicle-to-vehicle splays, there is no clear evidence before me to demonstrate that the land necessary for the vehicle-to-pedestrian visibility splay falls within the appellant's ownership or control, or that of the Highway Authority. I accept that there is no requirement for these visibility splays to be physically marked out on the ground, nevertheless, it must be demonstrated that they are capable of being provided. I note that the full extent of the frontage of the appeal site has been opened up, however I am not satisfied that this provides the clear evidence required and, in this instance, it does not justify the proposal. Therefore, in the absence of satisfactory evidence of vehicle-to-pedestrian visibility splays, I cannot be satisfied that exiting vehicles would have clear sight of oncoming pedestrians. This would prejudice pedestrian safety.

7. By reason of its constrained size, the appeal site is unable to properly accommodate a turning area for a vehicle. Therefore, a vehicle would be unable to enter and exit the site in a forward gear and a vehicle would be likely to reverse into the highway and interrupt the free flow of traffic along this busy stretch of highway. The proposed crossover would introduce new turning movements on Crawthorne Road for vehicles entering and exiting the site, even if they were to do so in a forward gear.
8. A vehicle parked in accordance with the plans would avoid it overhanging the footway. However, its position parallel to the highway would result in it being unlikely to exit the site at a perpendicular angle to the highway which would maximise visibility in both directions. Instead, a vehicle would inevitably enter the road at an angle which would result in it travelling for a greater distance along the footway rather than across it. In my view, manoeuvring vehicles would pose an increased risk to passing pedestrians and vehicular traffic and would significantly prejudice highway and pedestrian safety.
9. The proposed parking space would provide access for disabled persons who may be unable to access the appeal site by public transport or from nearby car parks. Although this matter weighs in favour of the proposal, it does not outweigh the harm I have found above. Moreover, I note that there is existing parking provision to the rear of the appeal site which would be capable of addressing the needs of disabled visitors to the appeal site.
10. For the reasons given above, the formation of a vehicle crossover would be detrimental to highway safety, in particular, the free flow of traffic and pedestrian safety. The proposal would therefore conflict with Policy LP13 of the Peterborough Local Plan (2019) insofar as this policy seeks to ensure appropriate provision has been made for safe access for all user groups.

Conclusion

11. For the reasons given above, the appeal is dismissed.

E Brownless

INSPECTOR