



Appeal Decision

Site visit made on 24 May 2022

by Helen Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday 16 June 2022

Appeal Ref: APP/J3720/W/21/3276630

The Water Margin, Marton Road, Long Itchington, Southam, Warwickshire CV47 9PZ

- 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 Mrs Yung Cheng against the decision of Stratford-on-Avon District Council.
 - The application Ref 20/03514/FUL, dated 20 November 2020, was refused by notice dated 1 March 2021.
 - The development proposed is described as "creation of a car wash facility."
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on highway safety.

Reasons

3. The appeal site is an existing car park adjacent to a building previously used as a restaurant. The site has a single point of access off the A423 Marton Road. There is a single-track driveway leading to business premises located to rear of site, and additional access points off the highway to third party properties. This leads to vehicle movements in and around the locality.
4. While no history of accidents at the site have been suggested, the Highway Authority have undertaken an analysis of traffic speeds for the section of A423 adjacent to the appeal site. The results of the analysis indicate that the average speed of traffic in both directions is in excess of the 30mph speed limit. There is no compelling evidence to the contrary.
5. Therefore, leaving the site would require cars to enter fast moving traffic from a stationary starting point. Conversely, as there is no dedicated right turn facility on the A423 for vehicles wishing to turn into the appeal site, visiting vehicles would have to decelerate almost to a stop to enter the site. This is likely to result in vehicles having to stand/wait on the highway whilst waiting to access the proposed car wash facility, which could lead to conflict with vehicles using the highway.
6. No detailed comparison of the proposed vehicle movements and that of the previous business use at the site have been put to me. In addition, there is no evidence before me to show that current vehicle movements in and out of the site are comparable to that likely to be generated by the proposed

development. Therefore, it cannot be assumed that the access and car parking arrangement considered acceptable for a restaurant would be appropriate for the proposed car wash facility.

7. At the time of my site visit a café was operating from the premises and using the appeal site as a car park. There is also no clear evidence that the re-opening of a restaurant at the site could be prevented, nor mechanism put to me to ensure the café did not continue to operate.
8. In the event that the restaurant business re-opened or the café continued to operate in conjunction with the proposed car wash facility, this would intensify the use of the car park and access to the site, as well as generating additional vehicular movement onto the highway. In addition, the scheme would lead to a loss of parking for any business operating from the building. The proposal would also increase the likelihood of vehicles queuing on the highway, and vehicles manoeuvring and queuing within the site itself. This could cause blockages to the single access point, restricting the free flow of traffic to the detriment of highway safety.
9. The submitted evidence has not demonstrated that the proposal could operate safely on the appeal site and access safely onto and off the adjoining highway. Detailed information has not been provided in respect of the layout and operation of the car wash facility and its associated parking capacity, manoeuvring and queuing areas, in combination with the restaurant/café operating on site. With the absence of substantial evidence to the contrary, I find the proposal would intensify use at the site and encourage vehicles to queue on the highway. Those movements would take place at a point on the highway where vehicles would regularly be passing by at a speed greater than the speed limit of 30mph.
10. On the basis of the evidence, the proposal would increase the risk of vehicle collision in the area to the detriment of highway safety. I therefore conclude that highway safety would be adversely affected by the proposed development.
11. For the reasons given above, the proposal fails to accord with Policy CS.26 of the Stratford-on-Avon District Core Strategy (2016), which, amongst other things, seeks to ensure proposals do not have a negative impact on highway safety for all users.

Other Matters

12. The proposal would make a small contribution to the local economy. However, it would have a very limited impact in this regard. Therefore, this benefit would be of limited weight in favour of the proposal.

Conclusion

13. The proposal conflicts with the development plan as a whole, and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

Helen Smith

INSPECTOR