

Appeal Decision

Site visit made on 4 September 2024

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2024

Appeal Ref: APP/P3610/W/24/3345635

17 Waterloo Road, Epsom, Surrey KT19 8EX

- 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 E Wigglesworth against the decision of Epsom and Ewell Borough Council.
 - The application Ref is 24/00242/FUL.
 - The development proposed is the widening of existing crossover.
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Decision

1. The appeal is allowed and planning permission is granted for the widening of existing crossover at 17 Waterloo Road, Epsom KT19 8EX in accordance with the terms of the application, Ref 24/00242/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no WR/100.

Main Issue

2. The main issue is the effect of the proposal on highway and pedestrian safety in Horsley Close.

Reasons

3. No 17 Waterloo Road is located on the corner with Horsley Road and includes a commercial premises on the ground floor. The premises has off street parking spaces which necessitate vehicles either reversing into the spaces or reversing out onto the highway and thus crossing the footway. Horsley Road is characterised by residential properties with off-street parking serving the properties many of which involves similar manoeuvres over the footway.
4. I have no substantive evidence regarding the vehicle or pedestrian numbers along Horsley Road. However, and whilst I recognise that my afternoon site visit was a snapshot in time, during my site visit the footway and road was not busy with frequent gaps between passing pedestrians or vehicles.
5. Given the existing characteristics of Horsley Road, pedestrians walking along the footway will be alert to the potential for vehicles reversing in or out over

the footway to the various access drives. Moreover, I have no substantive evidence of any history of collisions from these existing arrangements. The proposal for the dropped kerb would formalise similar manoeuvring arrangements to the parking spaces adjacent to the commercial premises.

6. I accept that, vehicles would manoeuvre over the footway, and this manoeuvring could cause pedestrians to stop, thus interrupting their free flow. However, given the existing characteristics, and the likely slow speed of movement at the point of entering and exiting the parking spaces, I do not consider that this would amount to unacceptable pedestrian safety risks. I have reached this conclusion even with the potential for parked cars and the existing fence to interfere with visibility.
7. Good forward visibility is achievable for road users travelling toward the junction of Waterloo Road. Moreover, vehicles turning into Horsley Road would also have good visibility of the corner building, its commercial ground floor activities, and its parking area. As such, road users would be alert to the potential for vehicles manoeuvring as well.
8. Overall, whilst I recognise that there is the potential for some inconvenience to other road users and pedestrians from the proposal, I do not consider this to amount to an unacceptable safety risk or sufficient inconvenience to warrant a refusal.
9. I therefore find that the proposal would not have an unacceptable effect on highway and pedestrian safety in Horsley Road. As such, I find no conflict with the requirements of Policies DM36 and DM37 of the Council's Development Management Policies (2015), the objectives of the Healthy Streets for Surrey (2023), and objective 3 of the Surrey Transport Plan (LTP4) 2022-2032, and the provisions of the National Planning Policy Framework (2023), when taken together and in so far as they relate to this main issue. These say, amongst other things, that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
10. In addition to the standard implementation condition, a condition is necessary to ensure the development is carried out in accordance with the plans submitted with the application.
11. To conclude, the proposal would accord with the development plan when read as a whole and there are no material considerations that indicate the proposal should be determined other than in accordance with it. For the reasons given above, the appeal is allowed subject to conditions.

Mr R Walker

INSPECTOR