

Item No. 1

Planning and EP Committee 18 February 2020

Application Ref: 19/01757/HHFUL

Proposal: Dropped kerb

Site: 152 Garton End Road, Peterborough, PE1 4EZ,
Applicant: Mr Gbolahan Somoye

Referred by: Councillor Joseph
Reason: The proposal would not pose an unacceptable danger to highway safety

Site visit: 11.12.2019

Case officer: Mrs Louise Simmonds
Telephone No. 01733 454439
E-Mail: louise.simmonds@peterborough.gov.uk

Recommendation: **REFUSE**

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The application site comprises a two storey semi-detached residential dwelling located on the eastern side of Garton End Road. The dwelling forms the northern-most of the pair and is situated just to the north of the junction of Garton End Road with Ascot Drive (to the south).

The surrounding area is predominantly residential, albeit the site sits opposite the Elm Tree Public House, with a cluster of retail/commercial units to the north. Properties within the street scene are set in close proximity to the highway, with small front gardens and little or no provision for off-street parking.

Proposal

The application seeks planning permission for the construction of a dropped kerb crossing into the front of the site from Garton End Road. Planning permission is required as this public highway is classified.

It should be noted that an identical application, under application reference 19/01327/HHFUL, was refused planning permission in November 2019 under Officer delegated authority.

2 Planning History

Reference	Proposal	Decision	Date
19/01327/HHFUL	Installation of a dropped kerb	Refused	04/11/2019

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Peterborough Local Plan 2016 to 2036

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs

that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Amenity of Existing Occupiers - Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

4 Consultations/Representations

PCC Peterborough Highways Services (03.01.20)

Objection - The applicant has not provided a suitable plan showing the width of the access or any information on vehicle-to-vehicle or pedestrian visibility splays. It's the LHA's opinion that these would not be achievable due to the access being hard against the neighbouring properties, and the applicant would have no control over their neighbour's boundary treatment. Moreover, the applicant does not have sufficient space within their property to allow vehicles to turn, meaning vehicles would drive in and then need to reverse out onto a busy classified road, which is not acceptable on highway safety grounds.

Local Residents/Interested Parties

Initial consultations: 5

Total number of responses: 1

Total number of objections: 0

Total number in support: 1

Councillor Joseph has expressed support for the proposal, raising the following matters:

- 1) There is double yellow line in front of the property and nowhere to park within the vicinity of the property.
- 2) There is a measured 6 meters length from the house perimeter to the public pathway margin. This is more than enough requisite parking space length.
- 3) The house is not on a bend or a corner and vision is clear enough for entry or egress from the property in either direction.
- 4) The house is the right hand end terrace of three dwellings within the terrace block. The left hand end terrace already has an existing drop kerb and off road parking.
- 5) Only few house's would have enough space to turn around in the front garden. If that is an existing criteria, that would exclude most off road parking already permitted.
- 6) There are also multiple house on the same road and particularly further on, in Elmfield Road with similar off road parking space as my property with existing dropped kerb and hard standing off road parking installed.

5 Assessment of the planning issues

The main consideration are:

- Highway safety
- Impact upon the character and appearance of the surrounding area

a) Highway safety

Garton End Road is a classified road, with a role of connecting the surrounding unclassified roads to the surrounding A roads (A15, A47 & A1139). In allowing new dropped kerb accesses onto classified roads, the Local Highway Authority (LHA) has advised that there is a requirement for area within the boundary of the property for vehicles to be able to turn and exit in a forward gear. This is to ensure that vehicles do not reverse out, a manoeuvre which impedes the free flow of traffic on these key routes and which poses an unacceptable highway safety danger.

The curtilage of the application site to the front of the dwelling, is of an insufficient width to provide the necessary parking and turning space. As such, any vehicular access would result in reversing manoeuvres onto the public highway which would pose a direct danger to all users.

Furthermore, the LHA requires that adequate vehicle-to-pedestrian visibility splays (1.5 metres x 1.5 metres) be provided to both sides of the vehicular access, as well as vehicle-to-vehicle splays (measuring 2.4 metres x 47 metres). Whilst the applicant has not provided a suitable plan showing the width of the access, or any information relating to these visibility splays, it is the LHA's opinion that they would not be achievable due to the access being hard against the neighbouring properties - the applicant would have no control over neighbouring boundary treatments such that the splays could be kept clear. This would be further compounded with the 12 metre separation distance with the junction with Ascot Drive, such that any visibility to the south would be impeded.

Accordingly, the proposed access would not enable vehicles to safely view oncoming traffic travelling at speed, or pedestrians coming from both northerly and southerly directions in the required amount of time and would therefore pose a direct danger to highway safety.

Accordingly, the proposed access would not have sufficient visibility of oncoming vehicles or pedestrians, posing a further danger to users of the public highway.

In light of the above, given the siting of the proposed dropped kerb and its unacceptable impact to the adjacent highway, Officers do not consider it to be in accordance Policy LP13 of the Peterborough Local Plan (2019).

b) Impact upon the character and appearance of the surrounding area

It is acknowledged that the dropped kerb and subsequent access would result in the loss of an established hedgerow which forms a part of the character of the street scene. This loss would be somewhat detrimental to the character of the area. However, the hedgerow is not substantial in scale and not formally protected, and this could be removed at any time without the benefit of planning permission. Furthermore, there are numerous examples of such crossings within the general locality of the site and accordingly, it is not considered that a significant degree of harm would result to the visual amenity of the area.

On this basis, it is considered that the impact to the wider character of the streetscene is acceptable, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

6 Conclusions

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

7 **Recommendation**

The Executive Director of Place and Economy recommends that Planning Permission is **REFUSED** for the following reason:

- R 1 The proposed dropped kerb is considered to be unsafe and detrimental to the safety of users of the adjacent public highway network. The dropped kerb would not provide the necessary vehicle-to-vehicle visibility splays which would prevent drivers exiting the site from having adequate visibility of oncoming traffic. In addition, the site is not capable of providing the necessary parking and turning areas which would result in vehicles leaving the site backwards and reversing into oncoming traffic, impeding its free flow and posing an unacceptable safety danger. The dropped kerb would therefore result in unacceptable harm to the safety of users of the public highway and is considered to be contrary to Policy LP13 of the Peterborough Local Plan (2019).

Copy to Councillors Joseph, Nawaz and Yasin