The Planning Inspectorate

Appeal Decision

Site visit made on 9th July 2013

by Clive Whitehouse BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 August 2013

Appeal Ref: APP/H1033/A/13/2196660
Site at Old Quarry, rear of Thorpe Street, Old Glossop, Derbyshire SK13 7RW

- 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 M Wood against the decision of High Peak Borough Council.
- The application Ref HPK/2013/0013, dated 8th January 2013, was refused by notice dated 8th April 2013.
- The development proposed is the erection of 12 single garage units.

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by the appellant against the Council. This application is the subject of a separate decision.

Main Issues

3. The main issues in this case are, (i) the effect of the proposal on highway safety, and (ii) the effect of the proposed works within the carriageway in Thorpe Street on the character or appearance of the Old Glossop Conservation Area.

Background

4. The site consists of part of a former quarry largely enclosed by terraced houses. Part is used for casual parking and for access to the backs of houses on Church Street, but much of the area is overgrown and unmanaged.

5. The present scheme is a re-submission following the dismissal of an appeal for a similar proposal in October 2012. The Inspector in that case found that the junction arrangement then proposed would have resulted in significantly sub-standard visibility for cars exiting the site onto Thorpe Street, to the detriment of highway safety.

6. In other respects, the previous Inspector concluded that (subject to conditions) the scheme for the garages would be likely to result in an improvement to the character and appearance of the site and the area generally.

Highway Safety

7. Thorpe Street is a narrow, one-way road with no footpaths along the nearby section, and closely bounded by house and garden walls. The proposal would result in increased vehicular use of the site access, requiring improvement to the existing restricted visibility.

8. Following dismissal of the previous appeal, the appellant's agent submitted a proposed highway modification scheme to the County Highways Authority. This would involve creating short lengths of footpath up to 2.4m wide on both sides of the junction by building-out a kerb line into the carriageway. This would allow cars to "nose out" and for drivers to look to the left for approaching vehicles before pulling out. The proposed build-out would be greater than previously proposed and is intended to give an "X distance" of 2.4m at the centre of the site access. I established on site that drivers exiting the appeal site would be able to see to the left (the direction of approaching traffic) for about 20m (Y distance) from that point, which is almost to the junction of Thorpe Street and Church Street. I observed that traffic speeds are low at the site access because passing vehicles have not gained speed after turning into Thorpe Street.

9. National guidelines for highway geometry are given in Manual for Streets. There, it is advised than an X distance of 2.4m should normally be used in most built up situations. For traffic speeds of between 15 – 20mph, which appear to be typical at that point on Thorpe Street, a Y distance of between 17m – 25m is required.

10. The Highways Authority has advised the appellant by letter that the proposed modifications to the public highway shown on submitted drawing T.12.01 would be sufficient to provide adequate emerging visibility from the existing access onto Thorpe Street.

11. Although it would appear that the submitted scheme would achieve adequate visibility, it would be at the cost of narrowing the existing carriageway. In that respect, I find that the submitted scheme contains a significant error. The plans on the appeal file have not been printed to scale, but my conclusions are based on the measurements taken on site. Drawing T.12.01 specifies an X distance of 2.4m and shows kerbs built-out to about one third of the existing carriageway width, thereby giving the impression of a remaining carriageway width in the order of 5m. In fact, a carriageway width of only 2.9m would remain after the visibility improvements have been carried out.

12. Manual for Streets advises that the minimum width for single lane roads is 2.75m, which will allow for occasional large vehicles, but recommends that widths between 2.75m and 3.25m should be avoided in most cases. It is also recommended that the local Fire Safety Officer should be consulted where a carriageway width of less than 3.7m is proposed.

13. The Highway Authority did not inspect the site in order to verify the submitted drawing before responding, and therefore no assessment has been made of the implications of the significant narrowing of the carriageway width. From my site inspection, it is relevant that the carriageway immediately adjoins a high stone wall with no protective kerbing opposite the site entrance. In that situation drivers will tend to keep away from the wall to protect wing mirrors, and that will reduce the effective carriageway width. Also, Thorpe Street

serves as a bus route and gives access to a sizeable residential area to the north.

14. In the absence of any assessment of the implications of the significant narrowing of the Thorpe Street carriageway, I conclude on the first main issue that it has not been demonstrated that the proposal is acceptable in highway safety terms, contrary to the objectives of saved local plan policy TR5.

Effect of Proposed Highway Alterations on the Conservation Area

15. The Council considers that the need to introduce short sections of pavement in order to improve visibility would be out of character with the area. The Old Glossop Conservation Area Character Appraisal includes a section on the street pattern. That includes the following reference *"with the narrowness of the older thoroughfares in and around the core, another aspect of the character of the streets is that pavements are few and where they have been laid, narrow. The lack of pavements contributes to a character that pre-dates the 20th century".*

16. I note that the houses from No.4 Thorpe Street northwards have a narrow pavement on one side, and this would be extended the short distance to the appeal site access. The houses fronting Church Street also have narrow pavements. In this particular location, I consider that the formation of short lengths of pavement would maintain the character and appearance of the Conservation Area.

17. The Council is concerned that the detailed design and materials specification for the highway works have not been submitted, but that is a matter that could satisfactorily be safeguarded by a condition requiring details to be approved before work commences.

Other Matters

18. The Council reiterates in its appeal statement some of the concerns about the impact of the garages on the Conservation Area, but no reference is made to those matters in the reason for refusal. The previous Inspector reached conclusions on the effect of the garages on the Conservation Area. Some minor improvements to the design have been made as part of this submission and I agree with the previous Inspector's conclusion that the garages would result in an improvement to the character and appearance of this neglected site and the area generally.

19. My conclusions on the character and appearance of the area do not overcome my conclusion that a satisfactory resolution of the highway safety issue has still not been demonstrated to be achievable. Having regard to all other matters raised, the appeal is dismissed.

C Whitehouse

INSPECTOR