



Appeal Decision

Site Visit made on 10 August 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2022

Appeal Ref: APP/P0119/W/21/3276281

Co Op At Parkway Tavern, 43 North Road, Stoke Gifford BS34 8PB

- 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 Danolly Limited against the decision of South Gloucestershire Council.
 - The application Ref P20/21170/F, dated 27 October 2020, was refused by notice dated 19 February 2021.
 - The development proposed is a new access off Hatchet Road.
-

Decision

1. The appeal is allowed and planning permission is granted for a new vehicular access off Hatchet Road at Co Op At Parkway Tavern, 43 North Road, Stoke Gifford , BS34 8PB in accordance with the terms of the application, Ref P20/21170/F, dated 27 October 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: J0020981-20-01, J0020981-20-02, 800.0018.007, 800.0018.008 and Access Technical Note (October 2020).

Applications for costs

2. An application for costs was made by Danolly Limited against South Gloucestershire Council. This application is the subject of a separate decision.

Preliminary Matters

3. A revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. I have considered the content of the revised Framework in reaching my decision.

Main Issue

4. The main issue is the effect of the proposal upon highway safety.

Reasons

5. The appeal site comprises apartments, shops and associated car park. A Co-operative supermarket was located at the site but this has closed down. Access to the site is currently provided via North Road and Hatchet Lane to the south-east and north-east respectively. Beaufort Crescent lies close to the Hatchet

- Lane access to the site. The proposed access would be on to a straight section of Hatchet Road close to a pedestrian crossing and a bus stop.
6. The Council's concerns relate to visibility, pedestrian safety and traffic flow. At the time of my site visit vehicles regularly passed the proposed access to the site from both directions along Hatchet Road. I appreciate my site visit provided only a snapshot of highway conditions. Nevertheless, based on my observations, it would be reasonable to conclude that the levels of traffic would increase in morning and evening peak hours when traffic is at its heaviest i.e. when people travel to schools and most people commute.
 7. The appellant has confirmed that the 85th percentile speeds recorded at the site are 28.8 mph northbound and 28.1 mph southbound. They have also submitted likely traffic flows, which have considered TEMPRO growth. These flows demonstrate that the junction would operate at 83% capacity, therefore retaining a reserve capacity. This data is not challenged by the Council.
 8. Submitted drawings demonstrate that a visibility splay in accordance with Manual for Streets is achievable in both directions and will not be impacted upon by the busses stopped at the nearby bus stop. There would be intervisibility between vehicles turning out of the access and a bus moving out of the bus stop. This is supported by the Stage 1 Road Safety Audit. Swept paths have been provided to demonstrate that vehicles using the access will not impact on or be impacted upon by the northbound bus stop. Furthermore, larger vehicles will utilise the Hatchet Lane access for deliveries.
 9. The pedestrian crossing is some 30 metres to the south of the site. Whilst pedestrians waiting to cross may impact on visibility, they would not be a permanent obstacle and would not be likely to fully obscure an entire vehicle. Additionally, the distance between the proposed access and the pedestrian crossing would be sufficient to ensure that any vehicles entering Hatchet Road via the access would be able to see the crossing and its associated lights. Although, pedestrians using the pavement along Hatchet Road would need to navigate an additional junction, there would be clear visibility at the proposed access to allow pedestrians to safely cross.
 10. There are a number of traffic lights, roundabouts and bus stops in the area, with this section of Hatchet Road being located between two roundabouts. Interested parties and the Council are concerned that the proposed access would impact on the free flow of traffic in an area that experiences queuing. The proposal includes a box junction, which would extend some 12 metres. This would reduce the queuing capacity of the road by approximately 2-3 cars. However, given the overall length of the road and the distance to the next junction to the north, the reduction in queuing capacity would only have a minimal effect on traffic flow.
 11. Residential dwellings are located on Hatchet Lane and Beaufort Crescent, close to existing accesses to the site. As it is not proposed to stop up this access, there is concern that this would become an informal access route through the site to and from Hatchet Road. It is proposed that the access be limited to deliveries and service vehicles only. Signs to that effect would be displayed on site along with a speed hump at the proposed access. The signs combined with the speed hump would reduce the risk of the accesses and the site being used as an informal route. Any vehicles which did use this route would also have to navigate around parked cars, moving cars, and pedestrians. In any event, even

if the route was used in this way, there remains sufficient capacity in the highway network to accommodate the additional traffic.

12. I note the comments raised by interested parties regarding the closure of the Co- op and the need for the development, However, information submitted with the appeal details that poor access arrangements which led to a lack of passing trade was a reason for the closure of the store. With regard to the provision of a further obstacle for children travelling to and from local schools, any vehicle entering or leaving via the new access would be travelling at low speeds allowing for pedestrians crossing the access to be seen. Additionally, the proposed access will be finished with a dropped kerb and tactile paving to facilitate pedestrians crossing the access.
13. I conclude that the proposal would not harm highway safety. It would therefore comply with South Gloucestershire Core Strategy (2013) Policy CS8 and South Gloucestershire Local Plan (2017) Policy PSP11 which seek, amongst other things, to ensure that development would not have an unacceptable effect on highway and road safety or create or contribute to severe congestion. The proposal also complies with paragraph 111 of the Framework which seeks to ensure that development does not have an unacceptable impact on highway safety.

Conditions

14. The Council has requested two conditions relating to the time limit for development and approved plans. I consider that the two conditions are necessary for the avoidance of doubt.
15. The Council's committee minutes suggested a further condition, which the Council has confirmed would not be necessary. I concur with this finding and have not applied a condition on signage as the details of the location of signage and speed calming measures are noted on the approved drawings.

Conclusion

16. For the reasons given above, and having regard to all other matters, I conclude that the appeal should be allowed.

Tamsin Law

INSPECTOR