

Safety of drivers, cyclists and pedestrians

12. There is no dispute from either main party that the proposal would be located in an accessible area, located just off one of the main road corridors in the area. It could be accessed on foot, bicycle or by bus. Cycle storage is detailed on the plans and the proposal would actively encourage sustainable travel, although the cycle storage would be better located closer to the building. Additionally, 4 car parking spaces are proposed and this would meet locally adopted standards.
13. Vehicular and pedestrian access to the site would primarily be gained from the side of 106 Whalley Road, although other access points could be used. The Council provide different widths in its evidence, stating it is around 2.58m wide at its narrowest point, and also detailing it is between 3.5 and 3.6m wide. It is agreed that the access is around 25 metres long. Despite the conflicting measurements, having seen the access, it is clear that it is single width and short in length. Therefore, it would be reasonable to anticipate that vehicles would travel slowly.
14. The appellant indicates there would be 3 full time employees and 6 residents, and from experience of other similar residential facilities, resident vehicle ownership is extremely uncommon. I have no reason to disagree. As a result, the appellant states that the use is likely to create a very low amount of movements to and from the site, at around 1-2 vehicles per hour. The Council disagree, and state that the level of movements would be greater, due to likely higher staffing levels and possible deliveries, but present little substantive evidence to support this assertion. Even so, given the site's accessible location, increases in staff may not necessarily lead to an increase in vehicles. Thus, based upon the evidence before me and the small scale of the proposal, I conclude that vehicle movements are likely to be low in numbers.
15. Nonetheless, despite the slowly travelling vehicles that would be low in numbers, the access from Whalley Road is a cobbled single track, and currently contains no formalised footpath or street lighting. This would present an unsuitable access to the site.
16. In view of that, the details before me indicate that the access would be re-surfaced from Whalley Road to the site entrance, and street lighting would be erected. The appellant states that the access road would be a 'shared surface', meaning that pedestrians and vehicles would share the same surface. Shared surface schemes work best in relatively calm traffic environments, and I agree with the appellant that this is likely to be one of those situations.
17. The re-surfacing and street lighting, along with the shared surface arrangements would significantly improve the attractiveness, legibility and safety of the access track and enable ease of access to, around and within the development for all potential users including those with impaired mobility or visual impairments. Consequently, it would be necessary to secure details of the surfacing and street lighting by condition, as these features would be necessary to make the development acceptable, particularly considering the end users would be disabled. As the access road is not within the red line boundary of the site, a *Grampian* condition would be required.
18. Whilst ownership issues are a private matter between relevant parties, I have in this instance had regard to the details provided by an interested person

acting for nearby residents. It appears to me that these parties consider they own the access road and do not agree to laying tarmac or digging up the cobbled sets. I have also had regard to the guidance from the PPG² which states a Grampian condition should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.

19. It is not clear that the re-surfacing and street lighting could be carried out within the time-limit that would be imposed by a planning permission. On the other hand, I have no evidence that there would be no prospects *at all* of the requirements of the condition being satisfied, and on this basis, a Grampian condition would not be unreasonable or unenforceable.
20. Furthermore, despite the conflicting widths, given the shared surface, anticipated low speeds, and the low amount of movements, common courtesy would ensure that a vehicle, cyclist or pedestrian could wait for another to pass and overall, the width would be satisfactory for all users. Additionally, pedestrians travelling on Whalley Road would need to stop to check the access road was clear before crossing. However, the pavement goes beyond the side of No 106 and is splayed at the other side. Therefore, pedestrian visibility is adequate.
21. For the previous 5 year period, accident records indicate there have been 7 accidents on Whalley Road, 7 to the north of the junction and 2 to the south, but none at the site frontage. Whilst this may be higher than one per year, Whalley Road is a busy movement corridor, with around 20,000 2 way daily traffic movements, and it would not be unreasonable to assume that given this level of traffic, accidents are more likely to occur than on other quieter roads. Consequently, as I have concluded vehicle movements are likely to be low; I also find the resulting traffic from the proposal would not unacceptably exacerbate local risks.
22. Vehicles may be required to wait on Whalley Road in order to access the site, yet, the appellant sets out that the likelihood of this happening would be around 0.7% given the number of anticipated vehicle movements. I consider this to be a very low probability, and even in the event that this did happen, a vehicle would be waiting for a very short period of time, around 12 seconds (based on a vehicle travelling at 5mph). It is not unusual for vehicles to wait on a highway to turn, even a busy one, and this would not lead to unsafe conditions.
23. The Council assert that the location of the bus stop on Whalley Road opposite the site access, and vehicles parked on Whalley Road results in vehicles travelling closer to the centre line of the highway. It states that this could lead to a potential for side swipes should a vehicle be exiting the site to the right. It also asserts that a vehicle entering the site from the south could be the subject of a rear shunt if overtaking a bus, as the vehicle behind may not anticipate this manoeuvre. These are all theoretical possibilities, but as already detailed, the proposal is not anticipated to create a high amount of vehicle movements. Therefore, the likelihood of these events occurring would be minimal, and this would not have an unacceptable impact on highway safety.

² Paragraph: 009 Reference ID: 21a-009-20140306 Revision date: 06 03 2014