
BLYTHEWOOD PARK, BROMLEY

Proposed Access Junction to Serve a Single Residential Dwelling

Technical Note

On behalf of Robert Pooke

September 2015

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INTRODUCTION

1 Gateway TSP is instructed by Robert Pooke to prepare this Technical Note (TN) in response to the Local Planning Authority's refusal to grant planning permission (application reference 14/03400/FULL1) to convert an existing building for use as a single residential unit at Blyth Wood Park, 20 Blyth Road, Bromley BR1 3TN. The new dwelling would benefit from a private drive onto Bracken Hill Lane to the west of the site.

2 Specifically, the application sought the:

“Change of use of ground and first floor from sports hall (use class D2) to C3, incorporating the existing residential unit in the roof space to form a single 4 bedroom dwelling, new vehicular access on to Bracken Hill Lane and associated replacement fencing.”

3 The planning application was refused by the London Borough of Bromley (LBB) on 17th July 2015. Three reasons for refusal were given, one of which related to highway safety. Reason for refusal 3 stated that:

“The proposed vehicular access would lack adequate sightlines, which would therefore prejudice road safety conditions along Bracken Hill Lane, contrary to Policy T18 of the Unitary Development Plan.”

4 The application is now subject to a Planning Appeal and this document sets out the Appellant's case on highways grounds. It addresses the following matters:

- The appeal sites location and planning history;
- Relevant transport policy and design guidance; and
- Whether the provision of a private drive in its proposed form is acceptable in highway terms.

APPEAL SITE AND PLANNING HISTORY

- 5 The building proposed for conversion which this Appeal relates to is currently utilised as a sport hall associated with the Blythwood Park apartment complex. Access to the appeal site and apartment complex is currently via Blyth Road to the east.
- 6 Bracken Hill Lane is located to the west of the Appeal site, where access to the appeal site is proposed. Bracken Hill Lane is a residential cul-de-sac, with a carriageway width of 6 metres in the vicinity of the appeal site. The speed limit of the road is 30mph, with street lighting present along its entirety.
- 7 Single yellow lines operate along the eastern side of the road, restricting parking between the hours of 08:00-18:30 hours. There are no restrictions on the western side of the carriageway in the vicinity of the appeal site.
- 8 The proposed access location is positioned some 70 metres north of the end of the cul-de-sac.

Planning History

- 9 Whilst planning permission was refused by LBB in July 2015, the Highways department did not specifically raise an objection to the proposal. LBB Highways specifically stated as part of a consultee response dated 26th June 2014 that they:

“...would not have an objection to the application for a crossover as the application is for change of use of the building to residential and not for dual use as a gym and a flat”. A house on its own would not generate additional traffic on this quiet residential road. The access, because of its proposed use as a house, will not interfere with the free flow of traffic and will not be detrimental to highway safety.”

10 The Highways department did however request a condition requiring the:

“Submission of detail drawing showing how the visibility splays will be provided as well as the details of how the access will be constructed. The speed limit for this road is 30mph, leads me to the conclusion that the sightlines here should be those as set out in Manual for Streets for a 30mph road i.e. 43m X 2.4m X 43m.”

11 This TN seeks to demonstrate why the provision of visibility splays in accordance with that requested by Bromley Highways is deemed as excessive when taking account of the nature of Bracken Hill Lane and the surrounding road network.

RELEVANT TRANSPORT POLICY

LBB Unitary Development Plan

12 The LBB Unitary Development Plan (UDP) was adopted on 20th July 2006 and forms the principle document for the assessment of planning applications.

13 Policy T18 relates to road safety, and states that:

“In determining planning applications, the Council will consider as appropriate the potential impact on road safety and will seek to ensure road safety is not adversely affected.

Road safety considerations need to influence the design of any development. Where a proposal may have a detrimental effect on the safety of any road user, measures to remove that potential risk should be agreed with the Council. Where a proposal is situated in a location with an existing road safety problem, the opportunity should be taken to improve that situation as far as is possible within the scope of the development.”

14 Policy T18 seeks to ensure that development proposals do not have a detrimental impact on the safety of other road users. In coming to this conclusion, considering needs to be given to:

- The likely level of traffic generated by a proposal;
- The nature of the surrounding road network itself; and
- Whether there is perceived to be an existing road safety ‘problem’.

15 The above considerations are assessed within the following paragraphs.

Manual for Streets 2

- 16 Relevant design guidance in respect of the measurement of visibility at a junction is contained within Manual for Streets 2 (MfS), adopted September 2010. MfS specifically addresses the design of a junction within an urban environment, with a focus on roads with speeds below 60kmph.

Visibility at a Junction

- 17 In regard to visibility, paragraph 10.4.2 of MfS2 states that:

“It has often been assumed that a failure to provide visibility at priority junctions in accordance with the values recommended in MfS1 or DMRB (as appropriate) will result in an increased risk of injury collisions. Research carried out by TMS Consultancy for MfS2 has found no evidence of this. Research into cycle safety at T-junctions found that higher cycle collision rates are associated with greater visibility.”

- 18 MfS2 contains detail of the above report on page 77, stating that:

“A series of collision types at high risk locations where Y distance was less than 45m were compared with locations with more than 45m visibility. There were no statistically significant differences between the two sets of data.”

- 19 The study concluded that it *“has been unable to demonstrate that road safety concerns regarding reduced Y distance are directly associated with increased collision risk at “high-risk” urban sites.”*

- 20 This is further supported in paragraph 10.5.9, which states that:

“The Y distance should be based on the recommended SSD values. However, based on the research referred to above, unless there is local evidence to the contrary, a reduction in visibility below recommended levels will not necessarily lead to a significant problem.”

Design Guidance and Professional Judgement

- 21** MfS2 recommends flexibility when applying design standards. For example paragraph 3.2.1 states that:

“For some time there have been concerns expressed over designers slavishly adhering to guidance regardless of local context. Local Transport Note 1/08 specifically advises:

Regulations and technical standards have a key role in the delivery of good design, but, if used as a starting point, they may serve to compromise the achievement of wider objectives. A standards-based template view of road design, for example, is inappropriate”.

- 22** Paragraph 3.2.2 continues by stating that:

“In reality, highway and planning authorities may exercise considerable discretion in development and applying their own local policies and standards.

Designers are expected to use their professional judgement when designing schemes, and should not be over-reliant on guidance.

Available guidance is just that, guidance, and cannot be expected to cover the precise conditions and circumstances applying at the site under examination.”

- 23** Finally, paragraph 3.2.3 states that:

“The authors of guidance, however accomplished, will not be cognizant of the site and situation in question. It would be neither reasonable nor rational to presume that anyone could produce an optimal design in abstract. The informed judgement of trained professionals on-site, should logically take precedence over guidance.”

- 24** It is clear therefore that guidance within MfS2 should be just that – guidance. The proposed access junction should be designed in such a way as to take account of specific local conditions.

CONSIDERATION OF THE REASONS FOR REFUSAL

- 25 The key issue for debate within this TN is the perceived need to adhere to relevant standards when assessing visibility at the proposed access junction.
- 26 LBB state within their decision notice that the proposed vehicular access would lack adequate sightlines, contrary to Policy T18 of the UDP. Policy T18 seeks to ensure that development proposals do not have a detrimental impact on the safety of other road users, taking account of any existing road safety 'problems'.
- 27 The proposal, constituting the conversion of a gym to one residential unit will generate a minimal level of traffic. This is supported by comments made as part of pre-application discussions by the Highways department, who stated that:
- "A house on its own would not generate additional traffic on this quiet residential road."*
- 28 Indeed, the Highway Officer continued by stating that:
- "The access, because of its proposed use as a house, will not interfere with the free flow of traffic and will not be detrimental to highway safety."*
- 29 It is considered therefore that the level of traffic generated by the proposal, which is accepted by the Highways department as not interfering with the free flow of traffic nor indeed generating any additional traffic, would have no bearing on Highway safety.
- 30 The surrounding road network, constituting a residential cul-de-sac, has been observed as attracting a very low level of traffic flow past the proposed access junction location. Only traffic associated with any residential dwellings south of the access are likely to pass the site, which is observed as representing some 13 properties.

- 31** Indeed, with the cul-de-sac not extending more than 70 metres south of the proposed access junction, vehicle speeds are likely to be very low. This is particularly likely for northbound vehicles.
- 32** Therefore taking account of the low level of traffic movement and vehicle speeds, it is not perceived that there is an existing road safety ‘problem’. Traffic control, by way of single yellow lines along the eastern side of Bracken Hill Lane ensures that on-street parking is managed.
- 33** Restricting visibility at a junction does not necessarily pose a highway safety issue. This assumption is fully supported by MfS, as set out previously in this TN. MfS actively encourages the design of a junction to take account of local conditions as opposed to relying strictly on guidance.
- 34** In the absence of any observed highway safety issues along Bracken Hill Lane, coupled with the nature of the adjacent road network, it is considered appropriate to limit visibility at the proposed access junction.
- 35** It is clear therefore that the requirement to provide visibility splays in accordance with relevant standards (set out in MfS) is disproportionate taking account of the proposal and the nature of the surrounding road network. Flexibility should be provided to ensure that any access design takes account of the local context, something that is supported by MfS.
- 36** In summary, it is considered that the proposed access in its current form provides an acceptable highway safety solution taking account of:
- The nature of the surrounding road network;
 - The scale of the proposal; and
 - The need for flexibility as suggested by relevant design guidance.

SUMMARY AND CONCLUSION

- 37** Gateway TSP is instructed by Robert Pooke to prepare this TN in response to the Local Planning Authority's refusal to grant planning permission to convert an existing building for use as a single residential unit at Blyth Wood Park, 20 Blyth Road, Bromley BR1 3TN.
- 38** The application is now subject to a Planning Appeal and this document sets out the Appellant's case on highways grounds. It is concluded that the access junction in its proposed form is acceptable in highway safety terms taking account of the following:
- The appeal sites location;
 - The scale of the proposal itself;
 - Site observations as to traffic movement in the vicinity of the site; and
 - Relevant transport policy and design guidance.