PROOF OF EVIDENCE FOR LONDON BOROUGH OF BROMLEY

PROOF OF EVIDENCE OF NOJAN RASTANI

PINS Reference: APP/G5180/W/25/3365514
LBB Reference: C/24/00815/FULL2
Appellant: Churchfields Road BR3 Ltd
Address: Land at London Electricity Board Depot, Churchfields Road, Beckenham, BR3 4QZ

Date of Inquiry 19- 21, 27 and 28 August 2025

July 2025

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1.0 Introduction and Qualifications

1.1 My name is Nojan Rastani, and I work as a Highways Development Manager with London Borough of Bromley (LBB) which is the Local Highway Authority (LHA) for Bromley Council.

1.2 I graduated from the University of Kingston with an Undergraduate degree in Bachelor of Civil Engineering and have a post graduate Diploma in Transport Planning and Engineering from Salford University.

1.3 I have been in my current role for over 12 years with 30 years of experience in Highways and Transport Planning. I am a Chartered Member of the Chartered Institute of Logistics and Transport.

1.4 I am familiar with the appeal site. I visited last year when asked by the case officer and again when preparing my proof of evidence.

1.5 I am authorised by LBB to provide this appeal statement in support of the objections raised by the LHA regarding the appeal development and to appear at the inquiry. I confirm that my evidence addresses all material facts and highway policies relevant to the issues and reflects my independent professional opinion.

1.6 I understand and comply with my overriding duty to the appeal inquiry as an expert witness, which takes precedence over any duty to those instructing me. My evidence is given impartially and objectively.

2.0 Background

2.1 The application was received on 5 March 2024 and refused permission by Decision Notice dated 17 October 2024 for the following reason:

“The proposal as set out in the application and currently in operation represents a significantly more intensive use of the site which has a detrimental impact on the general residential amenities of the area, resulting in additional noise and disturbance associated with the comings and goings to and from the site, as well as the activities upon the site itself, and insufficient information has been provided to demonstrate that the impact of the use on the residential amenities of the area and with regards to highways safety could be successfully mitigated and controlled. The proposal is thereby contrary to Policies 32, 37 and 119 of the Bromley Local Plan and Policies D3 and D14 of the London Plan.”

2.2 I was the highway officer which commented on the application which fed into the delegated report.

2.3 I would like to clarify that I did not submit an objection to the original application when it was lodged in 2024. However, since that time, a rebuttal has been submitted by SLR Consulting which significantly diverges from the original Transport Statement dated 21 February 2024. This new report raises concerns for me, Which I believe warrants reconsideration.

2.4 It is essential to the council’s position to reflect on is resident’s concern. The reason for refusal is that the development has detrimental impact on residential amenity and unacceptable highway impact which needs to be considered.

2.5 The LB Bromley has received number of videos and photographs from the residents, these are shared with the appellant. I have looked at some of them they demonstrate the are misuse of the designated access road by HGV drivers entering and exiting the site. These recordings reveal repeated instances of near misses and behaviours that pose a considerable risk to highway and pedestrian safety. The reason for refusal is that the development has detrimental impact on residential amenity and unacceptable highway impact which needs to be considered.

2.6 I believe it is both appropriate and necessary to provide professional input to assist the Inspector in understanding the implications of the current access arrangements and their real-world operation.

2.7 My revised position arises not from any change in principle, but from a professional duty to respond to substantiated safety concerns which were not apparent at the time of the original application.

2.8 In preparing my proof I has relied on the following:

(i) Appellant SLR rebuttal dated 7 April 2025 SLR letter dated 14 August 2024 and Transport statement SLR dated 21 February 2024

(ii) Photo by council officers

(iii) reviewed residence objections

(iv) I have also considered videos and documents sent by the residence via google dive link at the link below

https://photos.app.goo.gl/cXq8QLkKUT8CuEDi7

This also have been shared with the appellant.

3.0 Policies

3.1 In reviewing and responding to planning applications the LHA is consulted on by Local Planning Authorities (LPAs), guiding principles of the National Planning Policy Framework (NPPF), London Borough of Bromley's Local Plan published January 2019 and London Plan.

3.2 The following policy sections are relevant to the reasons for refusal I have identified, particularly in relation to highway safety and the impact of the development on the Recycling Centre and the school. These concerns apply across all modes of travel.

3.3 Policy 32 of in the local Plan states that "*The Council will consider the potential impact of any development on road safety and will ensure that it is not significantly adversely affected.*"

3.4 Policy 32 explains the reason given for the local plan "*The reason for this is Road safety considerations need to influence design of any development. Where a proposal may have a detrimental effect on the safety of all users, 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 applicant would be expected to fund any necessary mitigation to resolve the difficulty as far as possible within the development and/or contributing to broader off-site solutions."*

3.5 I have outlined in the following paragraphs the other policies to which the appellant is in breach of highway safety. This is the reasons why the Highway Authority does not accept the appellant's argument regarding highway safety.

3.6 **National Planning Policy Framework Paragraph 115**

This outlines what should be ensured in developments regarding transport and highway safety:

Applications for development should:

a) give priority first to pedestrian and cycle movements.

b) address the needs of people with disabilities and reduced mobility.

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

d) allow for the efficient delivery of goods and access by service and emergency vehicles.

3.7 **Paragraph 116-**

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

3.8 **Paragraph 117 -** Encourages sustainable travel but also includes highway safety indirectly:

This paragraph encourages sustainable travel also involves highway safety. It explains that the applications should be designed to:

a) give priority to pedestrian and cycle movements.

b) be permeable and safe for all users

I summarised The NPPF highway safety test as focused on:

a. Avoiding “unacceptable” safety impacts

b. Considering “severe” residual impacts on traffic

c. Designing for all road users — not just cars

d. Prioritising safety, accessibility, and sustainable modes

3.9 **Design Manual for Roads and Bridges (DMRB) GG 119 – Road Safety Audit** [1]

It is a key document within the Design Manual for Roads and Bridges (DMRB) that outlines the procedures for conducting Road Safety Audits (RSAs) to enhance road safety in the UK.

Overview of GG 119 - Road Safety Audit

Purpose: The primary objective of the road safety audit process, as outlined in GG 119, is to conduct an independent review of the safety implications of highway engineering interventions for all road users. This process is essential in assessing and mitigating potential road safety risks before the implementation of any design changes.

Content and Implications

Scope of Audits: GG 119 specifies when and how road safety audits should be conducted throughout the design and construction phases of highway projects. The audits are mandatory for all trunk road and motorway improvement schemes, ensuring compliance with safety standards and highlighting necessary design modifications.

Stages of Audit: The document details the various stages at which audits will occur, which are crucial for integrating safety concerns into the design process—particularly during the preliminary, detailed design, after construction, and during the post-opening phases.

Independence of Review: The standards mandate that the audit team be independent of the design process to ensure objective evaluation. This separation helps to identify and address potential issues that may not be visible to those directly involved in the project design.

Accident Monitoring: GG 119 emphasizes the importance of monitoring accidents post-implementation, which aids in assessing the effectiveness of the safety measures applied in the design.

3.10 I refer to the Appellant's Safety Audit later in my proof in section 8. The Safety Audit provided its only stage 1 and hasn't fulfil its objective in terms of pointing out the highway safety issues.

3.11 **Manual for Streets (MfS)** is a document published in England and Wales that provides essential principles and practices for the design, construction, and maintenance of residential streets, aiming to enhance the quality of urban environments and community life.

I summarise the following content which is relevant to this appeal.

A). Visibility & Sightlines. This information is in chapter 7. MfS states **"***Visibility should be checked at junctions and along the street. Visibility is measured horizontally and vertically."*

MfS emphasises appropriate visibility splays at junctions and driveways for safety.

Stopping sight distance is vital. Adequate clear vision is required for drivers to safely stop before a hazard, especially where streets serve both access and movement roles.

B). Junction Design this information is in chapter 7

Corner radii and junction geometry should be carefully controlled to manage vehicle speeds and turning behaviour. Smaller radii help slow traffic, reducing collision risk.

- This is to minimise the conflict between users
- Provide clear priority and legibility for all users.
- Pedestrian and cyclist visibility must be maintained at all junctions.

In section 6 of my proof on Access this further supports my statement that the access road to the appeal site from the Churchfields Road junction presents a safety hazard. Multiple activities occur simultaneously in this area, including the presence of schoolchildren and parents, local residents attending the Recycling Centre, and the Masons service vehicles.

C). Access Management this information is on Chapter 7 of MfS document.

Limiting the number and location of access points reduces conflict zones. MfS endorses consolidating driveway access off minor streets rather than main distributor roads, to maintain safety and capacity.

Accesses should permit forward entry and exit ("forward gear") to enhance visibility and avoid reversing onto live roads.

D). Road Safety Audits (RSAs) is in Chapter 3

Road safety audits (RSAs) are routinely carried out on highway schemes. The Institution of Highways and Transportation (IHT) Guidelines on RSA13 sit alongside the Highways Agency standard contained in DMRB14 as the recognised industry standard documents in the UK**.**

- MfS strongly advises conducting independent Road Safety Audits at key design stages. These audits should assess all users and result in practical design modifications where necessary.
- While MfS encourages a more context-sensitive approach, formal Road Safety Audits (RSAs) are still recommended for:

Streets with unusual or complex layouts

RSAs typically follow four stages:

Stage 1 – Feasibility/Preliminary Design

Stage 2 – Detailed Design

Stage 3 – Post-construction (pre-opening)

Stage 4 – Monitoring (12 and 36 months after opening)

5. Pedestrian & Cyclist Prioritisation

MfS promotes a user hierarchy, placing pedestrian and cyclist needs above vehicles when designing access layouts. This ensures safe, direct walking and cycling routes, including well-designed crossings and desire-line alignment.

3.12 **Healthy Streets for London** by Transport for London

This is a document published by Mayor for London which discusses measure which can be used, I would point out the relevant areas.

This document outlines various measures to reduce conflict between vulnerable road users and motorists. I have identified and listed below the aspects that are particularly relevant to the appeal site:

- Vulnerable road users include:
- Pedestrians (especially children, elderly people, and people with disabilities)
- Cyclists
- Motorcyclists and scooter riders
- Wheelchair and mobility scooter users

Vulnerable road users lack the protective structure of a vehicle, meaning that even at low-speed collisions can result in serious or potentially fatal injuries.

1. https://standardsforhighways.co.uk/search/html/69517ebd-ed8d-4558-b101-c1e80611000a?standard=DMRB

4.0 Terminology and Classification of Service Vehicles

4.1 For ease of reference, this section outlines the types of service vehicles involved, should this information be required.

4.2 Vans are classed as Light Goods Vehicles. This class of vehicle is up to (LGV) up to 3.5 tonnes.

4.3 A lorry is the name given to a heavy goods vehicle (HGV). These vehicles over 3.5 tonnes and 7.5 Tonnes are the average. HGV are divided in three different types of Rigid, articulated and flatbed.

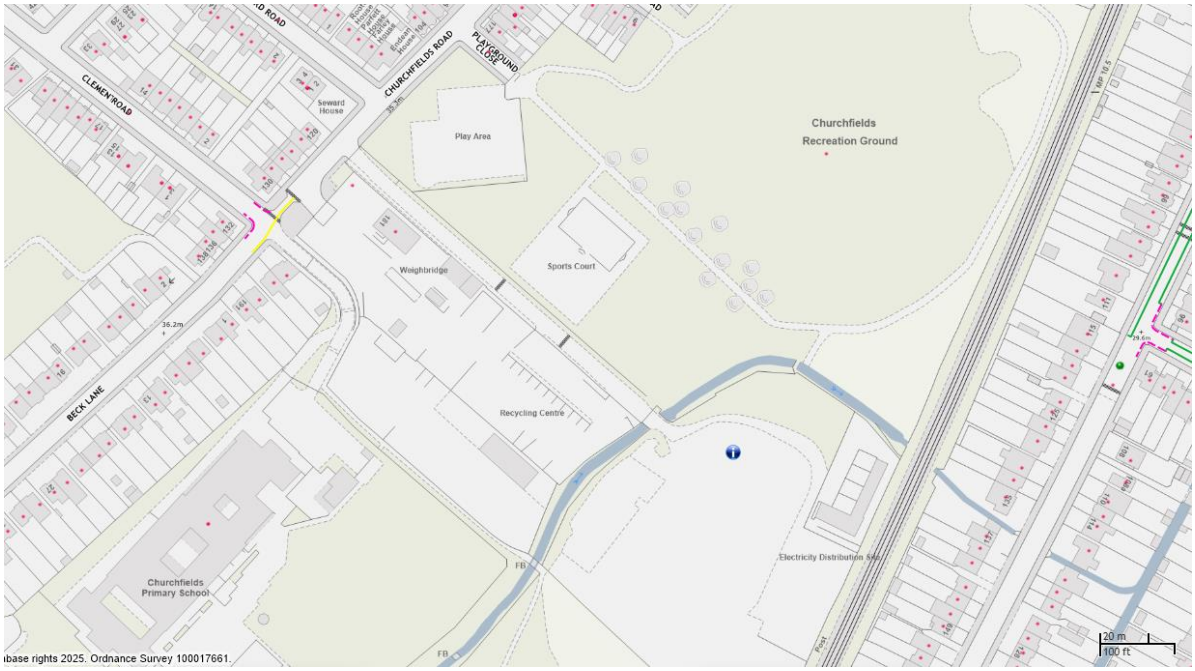
4.4 A Rigid Lorry is a type of HGV. These are single-unit vehicles where the cab and cargo area are fixed together, ranging from 7.5 tonnes to 26 tonnes. When a lorry turns the cab and loading area turns at the same time.

4.5 Articulated lorries are a type of HGV. The front part where the driver sits, contains the engine and controls. A detachable section with load can pivot relative to the cab unit. The pivot joint design allows the trailer to turn independently of the cab.

4.6 Flatbed trucks are also type of HGV. These have an open trailer bed, for transporting large or irregularly shaped goods, often used in construction.

5.0 Site description

5.1 The appeal site is situated adjacent to the Churchfields Road Reuse and Recycling Centre (Beckenham), Maberley Road Playing Field, and Churchfields Recreation Ground. Churchfields Primary School lies in close proximity to the site.



Ordinance survey 100017661

Location Plan 1 illustrates the appeal site and its proximity to the Recycling Centre

5.2 Churchfields Road functions as both a bus and cycle route. The 354 bus operates with a frequency of every 12-20 minutes, according to Transport for London. This translates to roughly 3 to 5 buses per hour, and frequently experiences delay due to congestion. Additionally, Churchfields Road forms part of the Waterlink Way cycle route (National Cycle Network Route 21).

6.0 Access

6.1 The only access to the site is via the access road to the Household Recycling Centre, which is used by the public to attend the recycling centre. The access road is 6.47 meters wide at the junction with Churchfields Road. There is a slight raised kerb extending for a distance of 11.38 m from Churchfields Road down the access road, after which there is no formal footway. and the segregation of foot traffic and vehicular movements is managed by a single yellow line on the road surface.

Photograph 1- Google image taken May 2024 - showing the junction of the access road to the site with Churchfields Road, illustrating the narrow formal footway on one side of the road, stopping and yellow line showing the pedestrian walkway starting.

6.2 I provide a further image of the access road showing the width of the carriageway and the width of pedestrian footway.

Aerial image 1 provided by Council Officer with the measurement added

6.3 As one approaches the Recycling Centre, the road narrows to 6.04 meters and then widens to 6.24 meters.

Aerial image 2 provided by Council Officer The pedestrian 'walkway' with the yellow demarcation line only extends approximately 98.5 metres from the main gate down the access road. Similar to photograph 1, the measurement taken by hand showing the dimension of the carriageway and superimposed on Google map.

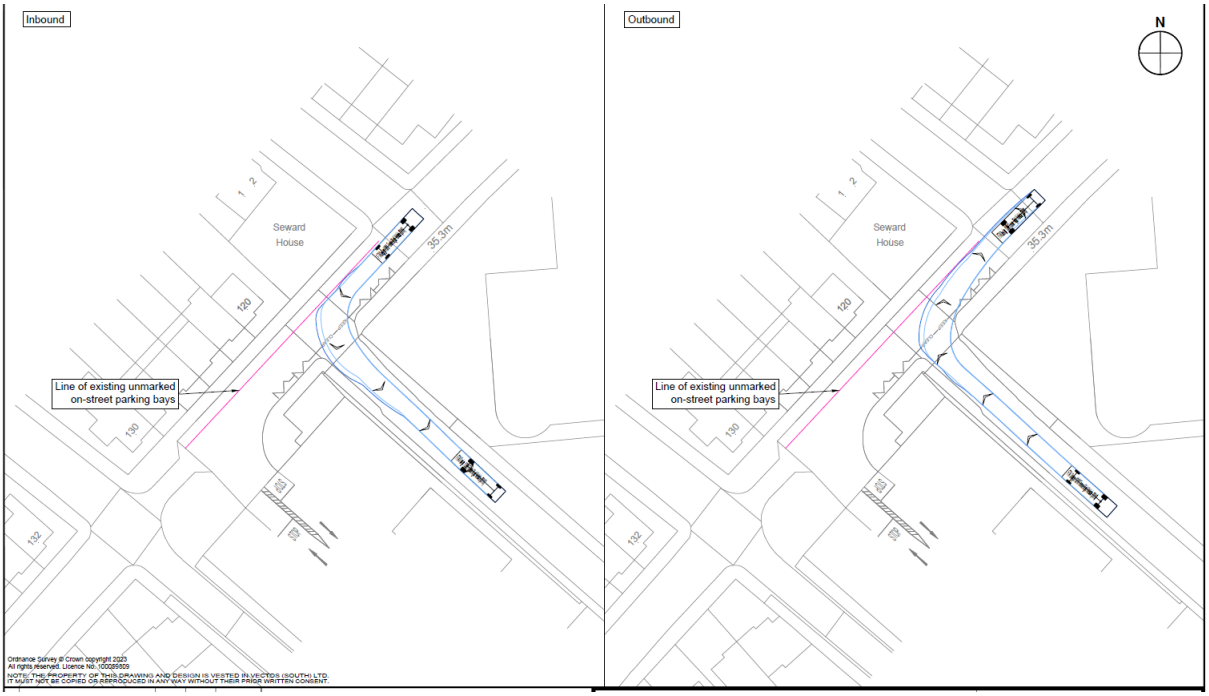
6.4 There are safety concerns both at the junction with Churchfields Road and along the access road itself. In paragraph 3.5 of the transport rebuttal dated 7 April 2025, the appellant refers to Table 3.1 (reproduced below), stating that “it’s evident that vehicles can manoeuvre safely.” I do not agree with this conclusion for the reasons outlined below. I will first address the safety issues at the junction, beginning with an assessment of the swept path analysis.

Table 3.1 – Response to Resident Comments

Resident Comments	Response
Traffic levels are high along Churchfield Road at weekends because of the recycling centre.	The recycling centre has implemented a booking system which should alleviate this issue. Additionally, there will be no vehicle trips associated with the site on a Sunday.
Queueing on Churchfield Road of vehicles waiting to access the recycling centre.	
Concerns over manoeuvring space for operational vehicles.	Given that the site is already operational and the lack of recorded traffic collisions, it is evident that vehicles can manoeuvre safely.
The access is not suitable for the scaffolding vehicles, left turn arrivals would have to be on the wrong side of the road.	
Proximity of the site to the school with no crossing patrol and congestion at school pick up / drop off times.	The Applicant is willing for a condition (as suggested by LBB Highways) to be included to avoid trips during these times.
Lack of evidence of the trip generation of the site.	The trip generation has been informed by the Occupier based on the existing operations at the site.
The hours shown in the TS do not include school pick up times.	Noted and addressed below.
Lack of details of likely vehicles using the site.	Noted and addressed below.
It is expected that more staff will arrive by car with limited parking available.	There is ample parking on hard standing within the site for all vehicles, including operational vehicles.

Safety issues at the Junction

6.5 The SLR Transport Statement, dated 21 February 2024 and included as “Enclosure 4”, illustrates that a 10-metre rigid vehicle is unable to complete turning manoeuvres into and out of the site without encroaching into the opposing carriageway. Specifically, when turning left into the site, the vehicle must cross over the centre line and utilise part of the oncoming traffic lane, thereby creating a potential conflict with vehicles approaching from the opposite direction. Similarly, when exiting the site by turning right, the vehicle again intrudes into the opposing lane, posing a risk to road safety. These movements indicate that the access arrangements are not suitable for larger vehicles and raise significant concerns regarding the safe operation of the junction under typical traffic conditions.



Swept Path Analysis Recycling Centre Entrance Scaffold Truck (10m Rigid) produced by SLR drawing no. 237324/AT/B01 dated 21 February 2024

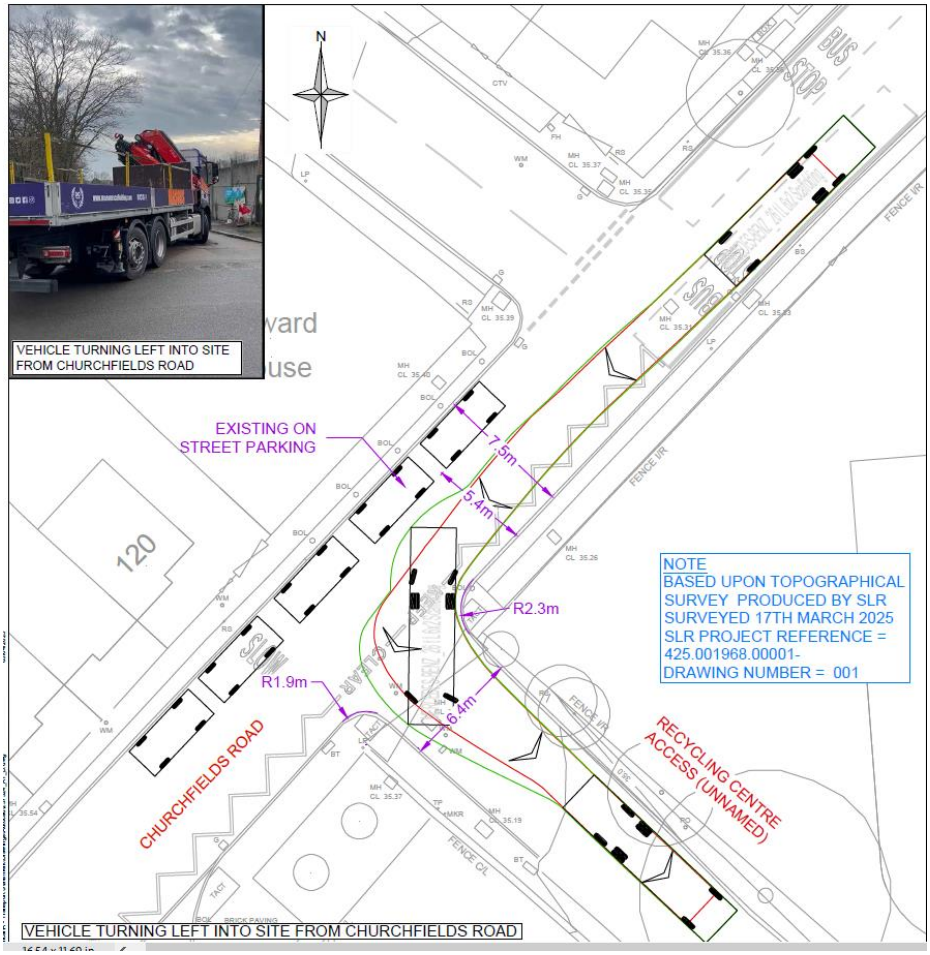
6.6 I supplement my concern with this photograph by a resident (taken from google drive folder) showing the swept path taken in real time taking place. The reason that the truck is swinging to the far side of the road is because the road is narrow, and the radius of the kerb doesn't allow the movement to take place in a safe manoeuvre. The constraints of the access pose significant safety concerns, particularly because pedestrians frequently cross this route, and vehicles regularly enter and leave the Recycling Centre.

Photograph 2 taken by resident demonstrating that lorries need the full width of carriageway to ingress the access road leading to the appeal site

Photo 3- Stills from a video taken on 9th of September 2024 sent to the Council by a local resident. An HGV can be seen on the wrong side of the approach road and close to pedestrians using the public pavement. An operative from the appeal site is seen in the public highway directing traffic. It also showing a flatbed truck swinging in while parent with children is walking along the pushing a pram

6.7 The latest swept path analysis confirms that in order to exit the access road onto Churchfields Road, an articulated vehicle must utilise the full width of the access road.

6.8 The fundamental point is the access conditions are unsafe because of the width of access road, the type of HGV turning in and out and the tight turn required. This is particularly the case because the access road is also used by pedestrians crossing the footway and by vehicles seeking entry to the Recycling Centre. The residential parking further limits the turning in and out. The existing access is not designed to accommodate the size of vehicles operated by Masons Scaffolding—whether 10-metre rigid or 16.5-metre articulated lorries. The width of the access and the tight junction radii prevent safe ingress or egress in a single movement. I include below a section of the swept path analysis showing these problem in action. There have been instances where lorries have overridden the kerb due to the limited road space, which makes it difficult to manoeuvre safely within the confines of the carriageway.



Swept Path Analysis of Existing Recycling Centre Site Access/Egress Mercedes-Benz 26 T L 6x2 Rigid Scaffolding Vehicle - Produced by SLR Consulting Drawing No. AT-D02 Rev A

6.9 There appoints raised in 7.26 of re safety issues at the junction. It is not a controlled junction where the site access road meets Churchfields Road. The absence of a stop line or any form of traffic control contributes to hazardous conditions for vehicles and pedestrians alike. Sight lines at this junction are frequently obstructed by queuing vehicles on the service road, hindering safe navigation for all road users.

6.10 The Transport Rebuttal submitted does not reference Churchfields Primary School nor assess the potential impacts of increased traffic in relation to the safety of pedestrians, particularly schoolchildren. The following photograph by a local resident shows an articulated lorry attempting to enter the site at 08:48 on a school day morning, a time when numerous number of children and parents are travelling to the school. The photograph demonstrates that the lorry could not complete its turn into the site in a single manoeuvre, there was no banksman present to halt traffic or warn pedestrians, and during the vehicle's reversing manoeuvre, a mother and child were seen crossing behind it.

Photograph 4 taken by a local resident depicts Mason's articulated goods vehicle attempting to enter the site during a time when numerous children and parents were enroute to school. The vehicle was unable to complete the turn in a single manoeuvre and was required to reverse, during which a mother and child were crossing behind it.

6.11 The safety issues at the junction are most pronounced during school drop-off and pick-up times, when vulnerable road users—including children and carers—frequently cross the access road to reach Churchfields Primary School. Residents also routinely use the service road to access the Recycling Centre, increasing both pedestrian and vehicular activity in the area.

6.12 The junction serving the Recycling Centre is accessed from Churchfields Road, as shown in Photograph 5. It has been designed with appropriate sightlines and junction radii to accommodate large service vehicles, enabling safe and convenient access to the site. The layout allows refuse vehicle drivers clear visibility of pedestrians and other vulnerable users, thereby helping to minimise potential conflicts between different site users.

Photograph 5- showing the Recycling Centre operational access is from Churchfields Road leading to the Recycling Centre. This access is used only by LBB refuse vehicles. Taken from Google Street view April 2025

Safety issues on the access road

6.13 In paragraph 4.18 of the rebuttal references Manual for Streets 2, stating that "… or accept that larger vehicles occasionally cross into the opposing lane." However, this does not reflect the reality on the ground, as all Masons service vehicles routinely use the opposing lane when accessing or exiting the junction with Churchfields Road.

6.14 While the junction of access road and Churchfields Road is unsafe for the reasons given above, there are further safety concerns when an HGV turns in the access road because of the vehicles are queuing for Reuse and Recycling centre and for the presence of the pedestrians using the pedestrian footway. I provide a photo below showing cars queuing to use the Recycling centre.

Photograph 6 Queues continue to form on the access road towards the Recycling Centre despite the introduction of a booking system by LBB (taken by a council officer Monday 02/06/2025 at 2.25pm)

6.15 Having reviewed concerns by residents, and comment from and photographs by officers, there have been numerous observed instances of Masons Scaffolding vehicles bypassing queuing traffic by travelling on the wrong side of the access road to reach the site. This behaviour contravenes the Highway Code. Specifically, Rule 163 advises that drivers should only overtake when it is safe and legal to do so, and that they should not weave in and out of traffic or overtake in a manner that could endanger others[1]. Such actions by the vehicles in question could be considered inconsiderate or even dangerous driving under broader road traffic legislation to pass.

1 https://www.highwaycodeuk.co.uk/using-the-road-overtaking.html

Photograph 7, the first photo on the left, showing the Appellant's HGV travelling on the opposite side of the carriageway to bypass the queue, thereby creating a significant and unacceptable risk to all road users, particularly pedestrians. Photograph 8, the second photo on the right depicts a vehicle exiting the recycling centre, narrowly avoiding a collision with an oncoming lorry that was travelling on the wrong side of the road.

6.16 In paragraph 2.7 of SLR rebuttal its states "Notwithstanding this, screenshots were obtained from the LBB operated cameras at the entrance to the recycling centre, shows there are typically no static queues with three out of the four days assessed showing a clear road. However, it is accepted that there is one day when queues were observed. It is relevant to note, the access road that runs adjacent to the Recycling centre provides a legal right of way at all times to the application site and therefore the queuing generated by Recycling Centre that has been recorded should not be taking place. In addition, with effective management the queuing traffic could easily be addressed, for example through the Recycling Centre operating a booking system, like is standard practice at other such facilities, and as was the case here during the Covid-19 pandemic." I will address the underlined portion of the SLR's statement. It is correct that access to the site must be maintained, and such access is indeed provided. However, the Appellant was fully aware, upon taking over part of the former London Electricity Board site, that this same access road is also used by local residents to reach the recycling centre. Historically, queues have frequently formed along this access road.

6.17 Given this context, the behaviour of Masons' drivers particularly bypassing queuing traffic by driving on the wrong side of the road raises significant highway safety concerns. This is especially pertinent considering the site's proximity to a school, Maberley Road Playing Field, and Churchfields Recreation Ground.

6.18 My colleague Jim Cowan, in his proof explains that an RTA took place involving a vehicle leaving the RRC and van from the LEB depot. This arrangement is clearly unsafe for the local residents. The Appellant has relied on Crashmap, the problem with

Crashmap is that is deal with KSI only and no near misses are reported. Just because it hasn't been reported does not mean there is no safety issue.

6.19 The occasional out-of-hours operations referenced in paragraphs 4.14 to 4.16 of the rebuttal may have minimal impact on the highway network; however, they are likely to affect residential amenity.

6.20 The next issue with the access road is the congestion, while this is not a highway safety matter, but this is a residential amenity matter.

6.21 Traffic queuing along the service road leading to the Recycling Centre further worsens congestion, impeding traffic flow on Churchfields Road and Beck Lane, especially during morning and afternoon peak periods. Additional traffic generated by Masons Scaffolding is likely to exacerbate congestion and further obstruct the network.

6.22 To date, the applicant has not provided an adequate proposal to address these serious concerns or to demonstrate compliance with Bromley Local Plan Policy 32, which requires that developments do not have significant adverse impacts on road safety.

6.23 The cumulative impact of this development on Churchfields Road will significantly impair the ability of fire and emergency services to reach destinations promptly. Increased traffic congestion, reduced carriageway widths, and potential obstructions caused by frequent HGV movements from Masons Scaffolding will create serious delays for emergency vehicles, posing a direct risk to public safety and potentially leading to life-threatening consequences in critical situations.

6.24 To conclude on the access point to the site, the Appellant has not demonstrated the access to be safe, and I do not agree with the Appellant's Transport Rebuttal (at Table 3.1) that it can be assumed that vehicles can manoeuvre safely, and therefore this will have a negative impact on residential amenity.

7.0 Trip Generation and Traffic Impact

7.1 I first provide the history of appellant's information

7.2 The original Transport Statement is dated 21 February 2024. That estimated that the scaffolding yard would generate a limited number of vehicle trips, with ten Masons Scaffolding vehicles operating daily, each undertaking a maximum of one job per day. This equates to a worst-case scenario of 20 trips per day—ten departures in the morning and ten returns in the afternoon.

7.3 The second document was the letter dated 14 August 2024 from SLR. Consulting. This estimates, in Table 1 (page 1), that between 07:00 and 08:00 there would be five arrivals and ten departures. During the afternoon peak, between 16:00 and 17:00, ten arrivals and five departures are anticipated. Based on this, the letter states that the proposed development would generate 15 two-way vehicle movements during both the morning (07:00–08:00) and afternoon (16:00–17:00) peak periods. I do not agree with these conclusion.

7.4 The final document by SLR's Rebuttal April 2025. In that Rebuttal at Table 4.1, an analysis of traffic surveys of November 2024 is presented. This analysis recorded 67 two-way trips per day—over three times higher than the volume originally stated. The appellant has done no analysis of the impact of the 67 trips on highway safety or residential amenity.

7.5 The key point here is that the appellant has underestimated the impact by factor of 3, when they made their application for the planning permission. Therefore, this will cast doubt on the reliability of the original report.

7.6 The same surveys show that the peak period for Masons vehicle movements occurs between 15:00 and 17:00.

7.7 This coincides with peak pedestrian activity associated with Churchfields Primary School. The primary school finishes its classes between 15:15 and 15:20. Additional footfall arises from extracurricular activities ending between 16:15–16:30 and the after-school club closing at 18:00, resulting in significant pedestrian movement between 16:00 and 18:15.

7.8 As per my evidence in previous section (see the photographs) clearly there will be many primary school children leaving the school, at the peak time of appellants HGV movements. This is of major concern, and I am minded to say this is an accident waiting to happen, but that may be too strong it is enough to say enough obvious safety issues. The safety of primary school children is of paramount importance, and this is unsatisfactory from a safety perspective to have so many HGVs operating by the primary school. Also, there is an obvious amenity issue with local residence worried about their children and HGVs. Additional footfall arises from extracurricular activities ending between 16:15–16:30 and the after-school club closing at 18:00, resulting in significant pedestrian movement between 16:00 and 18:15.

7.9 Table 4.2 of the Rebuttal indicates that the booking system has helped redistribute trips associated with the Recycling Centre, reducing peak-time queuing. However, this redistribution has shifted trips from the midday period (11:00–15:00) into inter-peak periods in the morning and afternoon, overlapping with both the school pick-up peak and the Masons vehicle peak (15:00–17:00), as shown in Table 4.1 of the report. The point is that the peak is still there in the afternoon.

7.10 Table 4.3 further highlights the concentration of vehicular activity during the school pick-up period, with the electricity undertaker's depot generating the highest number of vehicle movements between 15:00 and 16:00.

7.11 Paragraph 4.11 of the Rebuttal states that the scaffolding yard accounts for 7% of total vehicle trips using the access road, with the Recycling Centre accounting for 82% and the electricity undertaker's yard for 12%. There are several problems with this analysis.

7.12 The subsequent diagram at paragraph 4.12 SLR rebuttal details HGV movements, revealing that the scaffolding yard accounts for 30% of HGV traffic, compared to 5% from the Recycling Centre and 65% from the electricity undertaker's yard. This statement that 5% of traffic related to Recycling Centre servicing is incorrect as there is a sperate access from Churchfields Road which allows LBB refuse vehicles ingress and egress the Recycling Centre.

7.13 This comparison does not adequately reflect the significant differences in vehicle size and type. Local residents have observed that Clancy (the electricity undertaker) predominantly operates Light Goods Vehicles (LGVs) up to 3.5 tonnes. By contrast, Masons operates significantly larger vehicles, including 18-tonne, 13-metre articulated lorries and 26-tonne, 11-metre rigid vehicles, as shown in Appendix D of the SLR Rebuttal.

7.14 Furthermore, it has been confirmed by Clancy that the cabling project works are ahead of schedule and are forecast to finish in the coming months will leave around half the current resource to work on a smaller secondary scheme due to complete in late 2026. Please refer to my colleague's Jim Cowan proof of evidence (section 8) for further information. Consequently, I do not anticipate that traffic levels will remain at their current intensity.

7.15 It is therefore reasonable to conclude that the majority of HGV traffic observed is attributable to Masons Scaffolding, given that other occupiers of the site predominantly operate LGVs.

7.16 The safety implications of HGVs versus LGVs are substantial. Due to their greater size, weight, and limited visibility, HGVs are disproportionately involved in incidents resulting in fatalities or serious injuries (KSIs). This distinction is crucial when assessing the impact of vehicle movements on local road safety. According to Transport for London (TfL), between 2015 and 2017, HGVs were involved in:

63% of fatal collisions involving cyclists, and

25% of fatal collisions involving pedestrians

despite making up only a small proportion of overall traffic [1].

Additionally, the Department for Transport (DfT) publishes detailed road safety statistics, including vehicle involvement in KSIs, in their Road Safety Statistics data tables [2]. These datasets (particularly tables in the RAS05 and RAS06 series) allow for analysis of vehicle types involved in serious and fatal collisions and consistently show that HGVs are overrepresented relative to their share of traffic.

1 https://tfl.gov.uk/info-for/media/press-releases/2019/april/public-support-london-s-world-leading-direct-vision-standard-ahead-of-october-launch

2 Road safety statistics: data tables- https://www.gov.uk/government/statistical-data-sets/reported-road-accidents-vehicles-and-casualties-tables-for-great-britain

8.0 Stage 1 Road Safety Audit

8.1 Paragraph 4.20 and following of the of the SLR Rebuttal refers to the findings of the Stage 1 Road Safety Audit (RSA). I agree with the Appellant that there is no policy requirement for RSA to be carried out. In view of this junction being a contested issue, the RSA is clearly helpful to understanding safety. The fundamental point is the Appellant is relying on it to demonstrate that there is no safety problem, and I have significant concerns regarding the methodology and assumptions underpinning that audit.

8.2 Paragraph 1.6 of the RSA (Appendix E) claims that "SLR Consulting has indicated that the electricity undertaker's yard generates about 100 vehicle movements per day (including 40 HGVs), whilst Mason Scaffolding generates fewer than 70 daily movements, of which 20 are HGVs." As explained above at paragraph 7.13, this classification is misleading. Observations from residents confirm that Clancy primarily operates LGVs of up to 3.5 tonnes, while Masons operates substantially larger vehicles, including 18-tonne articulated lorries and 26-tonne rigid vehicles, as detailed in Appendix D. The safety implications between LGVs and HGVs are materially different, with HGVs posing significantly greater risks.

8.3 Furthermore, the Stage 2 and 3 Road Safety Audit (RSA) has not been undertaken, and the brief should have explicitly required both stages to be carried out. In the case of the Appeal Site as it is in operation for some time stage 4 would have been pertinent.

8.4 Stage 4 aims to evaluate the safety performance of the road after it has been in use for approximately 12 months. This allows for the identification of any unforeseen safety issues that may have arisen once the scheme is operational.

8.5 The RSA states that "few of these trips occur during the conventional peak hours." This statement is inaccurate. As demonstrated at paragraph 7.3, the peak period for Masons vehicle movements occurs between 15:00 and 17:00, directly coinciding with school-related pedestrian activity.

8.6 The RSA did not identify any safety concerns at the existing access point. However, the audit appears to rely exclusively on the Audit Brief dated 11 March 2025 and five years of Personal Injury Collision (PIC) data. This approach overlooks the significant changes in the type and size of vehicles now using the access point. Historical PIC data cannot reliably predict future risk where there has been a material change in site operations, such as the introduction of significantly larger HGVs associated with the scaffolding yard. The swept path analysis prepared by SLR Consulting clearly demonstrates that Mason's service vehicles would encounter difficulties when negotiating the junction of Churchfields Road and the access road, both when entering and exiting the site. Notably, this issue was not addressed, which is contrary to the requirements set out in the Design Manual for Roads and Bridges (DMRB) document GG119.

8.7 Furthermore, the site visit for the RSA was conducted on Friday 21 March 2025 between 10:45 and 11:30 (see paragraph 1.6 of the RSA report). This period corresponds with the lowest levels of Masons vehicle activity and minimal school-

related pedestrian movement, as shown in Table 4.1 of the Rebuttal. Background traffic levels on Churchfields Road would also have been low at that time.

8.8 As a result, the audit team did not observe the critical interactions between large scaffolding vehicles and the substantial pedestrian flows—particularly schoolchildren and parents—that occur during the afternoon peak period. This significantly undermines the reliability of the RSA's conclusions regarding road safety at the Churchfields Road/Site Access Road junction. The DMRB) document GG119 states that auditors must assess the design from the perspective of all road users, identifying potential hazards that could lead to accidents

9. The Appellants offer to mitigate and control

9.1 At paragraph 4.24, the Appellant suggests Delivery and Service Plan (DSP). My opinion is there is not enough information provided, what is suggest wont work. I have set out in my proof a number of concerns about the Appellants approach to highway safety, and the impact to residents from a highway perspective. The Appellant does not recognise that there is a highway safety issue. The Appellant's DSP includes three proposals:

- A routing plan that would require all HGVs to travel to and from the east of the Appeal Site.
- A restriction on the maximum size of HGV able to access the site.
- A restriction on any HGVs travelling to or form the Appeal Site between the hours of 15:15 and 15:45 to avoid school pick up times.

9.2 Under normal circumstances the routing plan and restriction of the size of the HGVs would be asked for by the Council for the mitigation of the development. However, in this instance the junction geometry would not be able to sustain the manoeuvrability of larger service vehicles. The DSP does not take in to account the junction condition.

9.3 The Appellant's third point in the DSP proposes restricting afternoon hours to just half an hour. However, the peak period in the afternoon typically falls between 14:30 and 16:00. While extracurricular activities occur outside formal school hours, it is recommended that these be scheduled between 14:30 and 15:30, and similarly between 08:00 and 09:00 in the morning. This would help to avoid any overlap with school drop-off and pick-up times. I have already highlighted this concern in my initial report to the case officer.

9.4 Photographic evidence provided by local residents suggests that there are banksmen present sometimes to direct Masons' traffic to the site. However, this is not referenced in the mitigation pack. Furthermore, no mitigation measures are proposed in SLR's rebuttal dated 7 April 2025. The absence of adequate information, combined with the previously discussed concerns regarding the conduct of Masons' drivers leaves me with little confidence about mitigation and control. As of I have already said what the Appellant is suggesting would not work.

10. SUMMARY

10.1 The reason for refusal, as outlined in Section 2.1 of this Proof, states that "… insufficient information has been provided to demonstrate that the impact of the use on the residential amenities of the area and with regards to highway safety could be successfully mitigated and controlled." I have demonstrated that not only has insufficient information been provided, but also that no meaningful mitigation measures have been proposed by the Appellant. Furthermore, through this Proof of Evidence, I have sought to assist the Inspector in understanding the significant highway safety implications associated with the appeal proposal.

10.2 Central to these concerns is the safety of highway users, particularly children and other pedestrians during school drop-off and pick-up periods. The proximity of the appeal site to Churchfields Primary School, Maberley Road Playing Field, and Churchfields Recreational Ground makes this location uniquely sensitive in terms of highway safety.

10.3 The sole access to the site is via a narrow entrance shared with the Recycling Centre. Swept path analyses demonstrate that large vehicles, including 10-metre rigid and 16.5-metre articulated lorries, cannot safely enter or exit the site in a single movement.

10.4 This results in significant risks to pedestrian safety, particularly during school drop-off and pick-up times.

10.5 There are no traffic control measures at the site entrance, and queuing vehicles regularly obstruct visibility and safe movement.

10.6 The applicant's Transport Statement fails to address the presence of the nearby school or to assess pedestrian safety risks.

10.7 Recorded vehicle movements (67 two-way trips per day) significantly exceed the applicant's original estimate of 20 trips per day.

10.8 Peak HGV movements coincide with the school pick-up period, heightening risks to children.

10.9 The Appellant's estimate that 30% of site traffic comprises HGVs appears to be an underestimation. Furthermore, the HGVs operated by the Appellant are significantly larger than those used by other site occupants.

10.10 The RSA relied on outdated assumptions and was conducted during a low-activity period, failing to capture real-world risks.

10.11 It did not adequately consider the increased size and frequency of HGVs or peak pedestrian activity.

10.12 The RSA's conclusions are therefore not considered reliable.

10.13 The Appellants operations are negatively impacting quality of life and causing concern among local residents.

10.14 In conclusion, the evidence I have presented identifies:

- Significant highway and pedestrian safety risks
- Increased traffic congestion
- Inadequate transport assessments and flawed safety audits.
- Negative impact on residential amenity

10.15 The Local Highway Authority supports the refusal of the application and urges the Inspector to take full account of the cumulative impacts on safety and local amenity.