

Appeal Decision

Site visit made on 19 September 2016

by Elizabeth Lawrence BTP MRTPI

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

Decision date: 22 September 2016

Appeal Ref: APP/L5240/D/16/3156660

145 Bensham Lane, Thornton Heath, Croydon, CR7 7EW.

- 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 Mahadevan Mahalingam against the decision of the Council of the London Borough of Croydon.
 - The application Ref 15/03893/P, dated 27 August 2015, was refused by notice dated 14 April 2016.
 - The development proposed is for a vehicle crossover.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on highway safety.

Reasons

3. Bensham Lane is a residential street which is characterised by traditional two storey terraced dwellings, with modest sized front gardens. The street forms part of a local bus route and there is a marked bus stop immediately outside the Appeal property. The pavement is approximately two metres wide at this point and there is a considerable level of on-street parking within the road.
 4. Together and amongst other things policies UD12 and UD13 of the Croydon Replacement Unitary Development Plan seek to ensure that new car parking is safe, secure, efficient and well designed. These policies are consistent with the National Planning Policy Framework (NPPF) which states that where practical developments should be located and designed to create safe and secure layouts which minimise conflict between traffic and cyclists or pedestrians. At the same time they should add to the overall quality of the area.
 5. The Councils Residential Extensions and Alterations – Supplementary Planning Document No.2 has similar objectives. It advises that parking spaces should be large enough to allow a car to be parked without overhanging the pavement and allow easy access to the front door. Normally, parking spaces should be at least 3 metres in width and where possible a separate pedestrian path should be provided.
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6. The proposed crossover would stretch across half the width of the frontage to the property and would be just over one metre from the existing bus stop. There would be no wall or other boundary feature between the bus stop and the proposed parking space, which would be angled across the site. With dimensions of 2.022m x 4.299 metres the proposed parking space would be materially smaller than the recommended minimum standard of 2.4m x 4.8m. It would project up to the back edge of the pavement, the bay window at the front of the house and the boundary with 143 Bensham Lane. At its narrowest point the width of the pedestrian way leading to the front door of the Appeal dwellings would be just over 0.5 metres.
7. As a consequence of these factors accessing and exiting the parking space that would be served by the proposed crossover would be awkward and visibility when backing out into Bensham Lane would be poor. Visibility would be further compromised by people waiting at the bus stop, who could also obstruct the crossover. Any buses waiting in the bus stop would obstruct visibility of the immediate pavement area when accessing the parking space and any overtaking vehicles when exiting the parking space. Vehicles parked in the proposed parking space would likely partially obstruct access to the front door to the host property and dominate the outlook from the only ground floor front window.
8. For these reasons the proposed development would have a materially adverse impact on highway safety for pedestrian, cyclists and motorists and would be unsafe, inefficient and poorly designed.
9. It is noted that there are a number of dwellings with vehicular crossovers in Bensham Lane. However none are located within the immediate vicinity of a bus stop and their planning history is not stated. Accordingly, they do not set a precedent for the Appeal proposal, which has been assessed on its individual merits and in light of the prevailing planning policies.
10. I conclude that the proposal would be inefficient and would have a materially adverse impact on highway safety. Accordingly it would conflict with policies UD12 & UD13 of the UDP, the SPD and the NPPF.

Elizabeth Lawrence

INSPECTOR