
Appeal Decision

Site visit made on 23 August 2016

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 29 September 2016

Appeal Ref: APP/Y5420/D/16/3153125
215 Lordship Lane, London N17 6AA

- 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 Alun Thomas against the decision of the Council of the London Borough of Haringey.
 - The application Ref: HGY/2016/0448, dated 10 February 2016, was refused by notice dated 7 April 2016.
 - The development proposed is the creation of a vehicle crossover.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The planning application form describes the proposed development as a 'Dropped kerb', whilst the decision notice issued by the Council describes it as the 'Creation of a vehicle crossover'. The latter is a more accurate description of the proposal and I note that the appellant has adopted this on the appeal form. I have therefore used this for the purposes of this appeal.

Main Issue

3. The main issue in this appeal is the effect of the development on highway and pedestrian safety.

Reasons

4. Lordship Lane (A109) is a busy main thoroughfare and bus route. The section where the appeal site is located is primarily residential with a small district centre lying just to the east. The south side of Lordship Lane is subject to a range of parking restrictions including zig-zag lines associated with a light controlled pedestrian crossing to the east of the appeal site, a bus stop directly in front of the appeal site, and double yellow and single yellow lines to the west.
 5. A bus shelter associated with the bus stop is located to the front of number 217 to the west and there is a street tree situated at the edge of the carriageway in line with the boundary between numbers 215 and 217.
 6. A number of the properties on the south side of the road have dropped kerbs and off-street parking within the front garden areas. The front garden area of number 215 is paved and the front wall has been removed. Vehicular access to
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this paved area is currently prevented by concrete bollards located on the boundary at the rear of the footway.

7. Lordship Lane is heavily trafficked and the bus stop adjacent to the appeal site serves two bus routes. The Council state that a bus arrives at the bus stop approximately every three and a half minutes and this was borne out by what I saw during my site visit. Buses stopping at the bus stop would obstruct vehicle access to, or egress from, number 215. The frequency of the service means that conflicts between vehicles using the crossover and buses are very likely which would adversely impact on the operation of the bus service.
8. I also saw on my site visit that whilst passengers would wait for buses within the shelter, once this was full, passengers queued to the east across the front of the appeal site due to the relative positions of the bus stop and shelter. This situation would also lead to conflict between passengers waiting for a bus and vehicles using the proposed crossover, particularly at peak times when larger numbers of passengers would be using the bus stop. Due to the level of traffic and the relatively high speeds on Lordship Lane, right turn manoeuvres into the property, across the oncoming traffic, would have to be executed quickly which would give passengers on the pavement less time to react to the presence of a vehicle.
9. Additionally, the presence of a build out to accommodate a cycle lane on the north side of Lordship Lane narrows the carriageway outside the appeal site and were the access to be obstructed by a bus picking up passengers, a vehicle waiting to turn right into the site would obstruct traffic travelling east. All of these situations would result in conditions that would be severely prejudicial to the safe and efficient operation of the highway and to pedestrian safety, and would also impact on the efficient operation of the public transport system.
10. I note the appellant's point regarding the potential usage of the crossover and number of vehicles that would use it, however, whilst that scenario may apply to the appellant's present occupation of the property it does not account for future occupiers who may have different vehicle ownership and usage patterns.
11. My attention has also been drawn to the fact that there is currently an existing vehicle crossover within the bus stop markings at number 213 and a further crossing just beyond the bus stop markings at number 219. I was able to see these on my site visit. I do not have full details of the circumstances that led to these being provided, although the Council suggest that they may predate the location of the bus stop. This notwithstanding, the position of these crossovers is such that they are less likely to be obstructed by either queuing bus passengers or the bus itself and, as such I do not consider that they establish a precedent for allowing the appeal proposal.
12. I also note the appellant's point that the nearest available parking for occupiers of 215 Lordship Lane is on the north side, which entails crossing the busy road. There is however a light controlled pedestrian crossing just to the east of the appeal site and a pedestrian refuge slightly further to the west which provide safe and convenient crossing points.
13. The reason for refusal makes reference to Policy M10 of the Haringey Unitary Development Plan. This policy relates to car parking standards and the level of parking required in connection with new development and consequently I do not consider that it is directly relevant to this appeal. Reference is also made

to Draft Policy DM33 of the Haringey Local Plan Development Management Development Plan Document. I do not have any details in respect of the current status of this draft policy and consequently as it is not yet an adopted policy I can only give it limited weight.

14. I find that the proposed development would cause harm to highway and pedestrian safety in the vicinity of the appeal site. The proposal would conflict with the relevant requirements of Saved Policy UD3 of the Haringey Unitary Development Plan; Policy SP7 Of the Haringey Local Plan 2013; Policy 6.10 of the London Plan 2015; and Draft Policy DM33 of the Haringey Local Plan Development Management Development Plan Document which seek to ensure that new development does not significantly affect public and private transport networks, promote public transport and road safety, and provide high quality pedestrian environments.

Conclusion

15. For the above reasons, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR