

Appeal Decision

Site visit made on 27 September 2016

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 27 October 2016

Appeal Ref: APP/L5240/W/16/3147847

205A Melfort Road, Thornton Heath, Croydon CR7 7RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Aslam Mir against the Council of the London Borough of Croydon.
 - The application Ref 15/04331/P, is dated 28 September 2015.
 - The development proposed is formation of drop kerb.
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Decision

1. The appeal is dismissed.

Procedural Note

2. Although the Council did not reach a formal decision on this application, it has nonetheless indicated in its report its putative reason for refusal. This is that the development would result in harm to highway and pedestrian safety.

Main Issue

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

Reasons

4. The appeal site is situated within a long and straight residential street. The provision of car parking space between the front of dwellings and the back of the highway footpath is a predominant characteristic along Melfort Road. It is common for the full width of the front of properties to be laid out as car parking space.
 5. The appeal property already benefits from a dropped kerb providing a single width vehicle access. The proposal is to extend the width of this kerb crossing by several metres to include the entire frontage.
 6. There is currently a timber fence in place incorporating posts running along the south eastern side boundary of the property between the house and the highway. The proposed dropped kerb extension would run towards and facilitate car parking closer to this boundary. In the area adjacent to the highway this fence is relatively tall, with the corner fence post taller still.
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7. I consider that the height of this structure would result in an obstruction to the visibility of the adjacent footpath and road for drivers seeking to manoeuvre away from the side of the property where the kerb extension is proposed.
8. From my visit I noted that Melfort Road appears to be a busy street, with a significant amount of traffic and is well used by pedestrians. At present the impaired visibility of the highway and footpath to drivers on the appeal property would serve to compromise the safety of pedestrians and other road users if the development was to go ahead, albeit that the manoeuvring of vehicles would be likely to take place slowly.
9. I have not been presented with any compelling evidence that there would be a problem in principle with widening the dropped kerb. However equally, I have not been provided with information to indicate that alterations would be made to improve visibility to an acceptable level which would allow the alteration to be safely accommodated.
10. I conclude that the proposal would result in harm to highway and pedestrian safety. It would therefore be in conflict with Policy SP8.18 of the Croydon Local Plan Strategic Policies 2013, Saved Policy UD13 of the Croydon Replacement Unitary Development Plan 2006 and Policy 6.3 of the London Plan 2015 which seek to improve conditions for pedestrians and ensure that parking is designed to be safe and secure.
11. I have taken into account that the appellant has submitted medical evidence to confirm the existence of a back related health disorder. Whilst I have no reason to doubt this, the information provided does not set out how the proposed development would assist with the appellant's living conditions in this regard. There has not therefore been a compelling case made as to why the public benefits of the proposal going ahead should outweigh the harm I have identified.

Conclusion

12. For the above reasons and having regard to all other matters raised the appeal should be dismissed.

Roy Merrett

INSPECTOR