



Appeal Decision

Site visit made on 22 November 2016

by Philip Willmer BSc Dip Arch RIBA

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

Decision date: 20 December 2016

Appeal Ref: APP/G5180/D/16/3158660

13 Croydon Road, Beckenham, Kent, BR3 4AA.

- 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 Mrs Caroline Price against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/03079/FULL6, dated 28 June 2016, was refused by notice dated 23 August 2016.
 - The development proposed is described as a paved driveway to the front of the house with vehicle access.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposal on highway safety.

Reasons

3. The property the subject of this appeal, 13 Croydon Road, is one half of a semi-detached pair of houses facing the A222 Croydon Road that is a classified London Distribution Route. As identified by the Council and as I observed, the road carries a large volume of relatively free flowing traffic in both directions. On-street parking is located in front of the row of dwellings of which number 13 is one. To the north of the appeal site a crossover serves the dwelling at number 29 and, to the south of the site, numbers 5 and 9 have forecourt parking via a crossover.
4. The appellant proposes the construction of a new vehicular access to the front garden of number 13, the formation of a hardstanding and the erection of a new front boundary wall to replace the existing hedge to provide off-street parking.
5. Policy T11 of the London Borough of Bromley Unitary Development Plan (Adopted July 2006) (UDP) seeks to ensure that the creation of new accesses will not create a road safety hazard or interfere with the free flow of traffic on roads where the needs of through traffic should take precedence. UDP Policy T18 advises that as appropriate the potential impact on road safety should be considered to ensure that road safety is not adversely affected.

6. Based on the drawings provided and from what I saw on site, although as illustrated it would be tight, I agree that there may just be sufficient room for a small/compact family car/city car to turn on site and thereby enter and leave in a forward gear. However, if planning permission were granted for the new access, there is no guarantee that the current or future occupants/visitors might not have a larger car or even a small commercial vehicle that, due to the limited front garden size, would not be able to complete a turn on site, thereby resulting in a manoeuvre that could cause a road safety hazard or one that would at the least interfere with the free flow of traffic.
7. Further, in my judgement, due to the limited depth of the front garden, in order for even a small car to achieve a turn on site and thereby avoid the need for reversing into or out of the garden, it would need, as illustrated, to enter virtually square to the crossover to have sufficient room to complete the on site turn. If vehicles in the street had parked up close to the crossover, as I would anticipate given this urban location they would, it might then be difficult to draw off the road at 90 degrees to the crossover without swinging out into the road to make the turn in. The inability to achieve the turn in cleanly would thereby result in a disruption to the free flow of traffic and possibly be a safety hazard to other road users.
8. Even if a car managed to turn on site so as to leave in a forward gear it would then have to emerge between the pillars of the new garden wall, the height of which is shown to be 1.4 metres, and across the pavement. Pedestrian visibility would be limited and bearing in mind that the driver would in all probability at this stage also be trying to negotiate a route through parked cars and out on to a busy road, I consider that the proposed arrangement has the potential to impact on the safety of pedestrians using the pavement.
9. Given this urban location with limited parking, the vehicle leaving the garden would have to emerge between parked cars into fast flowing traffic. In my judgement, due to limited visibility both for the driver of the emerging vehicle as well as that of on coming drivers, this would result in not only a hazard to road safety but also might well effect the free flow of traffic. While I appreciate that a parked vehicle leaving the kerb also has an impact on the flow of traffic, given the current on-street parking arrangement on-coming drivers are more likely to anticipate such a manoeuvre.
10. On balance, I therefore conclude in respect of the main issue that the proposed development would be prejudicial to the free flow of traffic and safety within the highway. This would be contrary to UDP Policies T11 and T18 as they seek to avoid road safety hazards or interference with the free flow of traffic on roads.

Other matters

11. As noted by the appellant and as I observed, other neighbouring properties in the street do have vehicular access to the road. Whatever the circumstances surrounding those other properties, given the potential impact on highway safety and the free flow of traffic that I have identified here, I do not consider that the existence of other points of access to the Croydon Road is an appropriate justification for permitting another here.
12. The appellant has suggested that the design of the proposal could be altered to provide an in and out driveway configuration. While it would be for the Council

to consider any alternative proposal in the first instance, I nevertheless consider that such a solution would not necessarily overcome my concerns. In addition, amongst other things, it would result in the loss of additional street parking to allow for two dropped kerbs.

Conclusions

13. For the reasons given above and having regard to all other matters raised, I conclude that the proposal is not in accordance with the development plan, when read as a whole, and that the appeal should be dismissed.

Philip Willmer

INSPECTOR