



Appeal Decision

Site visit made on 8 August 2017

by D R Cullingford BA MPhil MRTPI

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

Decision date: 30 August 2017

Appeal Ref: APP/P5870/D/17/3176161

Parkside, Ewell Road, Cheam, Surrey, SM3 8AN

- This appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is by Mr Peter Brooks against the decision of the Sutton London Borough Council.
 - The application (ref: A2017/76257/HHA and dated 16 January 2017) was refused by notice dated 21 March 2017.
 - The development entails the formation of an vehicular on to Ewell Road.
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Decision

1. I dismiss this appeal.

Main issue

2. From what I have read and seen, I consider that this appeal turns on whether the formation of this access would exacerbate road hazards, contrary to policies BP10 and DM21

Reasons

3. Ewell Road has recently been designated as a 'red route' by Transport for London where on-street parking is almost entirely prohibited with the aim of maintaining the flow of traffic and buses. The appeal property is a neat semi-detached house with a modest front garden beside Ewell Road and opposite the pleasant expanse of Nonesuch Park. Very fairly, it is explained that the maximum space available at Parkside is 7mx6.7m rather than the 10mx8m deemed to be necessary to allow a vehicle to enter and leave the site easily in forward gear. Those latter dimensions are sufficient to accommodate the tracking diagrams derived from (in this case) fairly average cars executing a 3-point turn. That manoeuvre could not be accommodated in the space available at the appeal property. And, although there may be particularly small or manoeuvrable vehicles with such a capability, restricting the use of the proposed facility to those vehicles would not be either practicable or reasonably enforceable. There is thus a risk that drivers would reverse in or out of the proposed parking space in order to dispense with the inconvenience of manoeuvring their vehicles into the limited space available. In those circumstances, visibility would be both restricted and awkward when crossing the pavement or when entering or leaving the carriageway, thereby exacerbating road hazards.
 4. I realise that the appellant has every intention of never undertaking such a hazardous manoeuvre, but unforeseen circumstances may nevertheless intervene and, in any case, subsequent occupants may not adopt such a
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responsible stance. The fact that the use of existing driveways and access arrangement do not appear to be associated with the 44 personal injury accidents that have occurred in the vicinity over the last 20 years does not guarantee the safety of those arrangements. After all, those accidents largely occurred before the road was designated as 'red route'. Moreover, although some properties possess parking spaces in what would otherwise have been the front garden (including the adjacent pair of semi-detached dwellings), many do not (including the adjoining house and several nearby properties). Hence, the appeal proposal could, all too easily, serve as an undesirable precedent encouraging a plethora of similar access arrangements in spite of the 'red route' designation. A multiplicity of such access arrangements on a 'red route' would be hazardous.

5. For those reasons, I consider that the formation of this access would exacerbate road hazards, contrary to policies BP10 and DM21. And, in spite of considering all the other matters raised, I find nothing sufficiently compelling to alter my conclusion that this appeal should be dismissed.

David Cullingford
INSPECTOR