



Appeal Decision

Site visit made on 20 August 2019

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th October 2019

Appeal Ref: APP/P5870/D/19/3229529

19 Park Lane, Cheam SM3 8BN

- 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 Ms Harvey against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2019/00070, dated 2 January 2019, was refused by notice dated 26 February 2019.
 - The development is alterations to front picket fence/gate and gravel drive for off-street parking.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to front picket fence/gate and gravel drive for off-street parking at 19 Park Lane, Cheam SM3 8BN in accordance with the terms of the application, Ref DM2019/00070, dated 2 January 2019, and the plans submitted with it.

Procedural Matters

2. The fence and off street parking space is already in place. The reference to the proposal being retrospective is superfluous and I have left it out of my decision.
3. The appeal property is a semi detached Grade II Listed building located within the Cheam Village Conservation Area (CA). I note that the Council considers that as the new picket fence and gate have replicated the style of a similar fence which existed previously in front of the dwelling, together with the use of high quality materials, the development is not harmful to the significance of the listed building or its setting. Moreover, that there is no harm to the character or appearance of the CA. Based on all that I have seen and read I have no reason to disagree with this. Consequently, my decision concentrates on the effect of the development on highway safety.

Main Issue

4. The main issue is the effect of the development on the safety and convenience of highway users.

Reasons

5. Park Lane is a no-through road which has traffic calming measures erected at its entrance with the A232, which restricts access to only cyclists. Pedestrians and vehicles accessing Park Lane do so from Parkside.

6. The appeal site is located towards the end of Park Lane where there are a small number of on-street parking spaces. One residential property has off street parking and I saw at my site visit that a business had access to a small parking area at the end of the lane. Parking restrictions operate within this part of Park Lane.
7. The appeal property is located on a bend and therefore visibility of traffic entering this part of Park Lane is limited. Moreover, vehicles accessing the parking space would either need to reverse into or out of the space. However, given the traffic calming measures and the parking restrictions in place it is likely that only those familiar with the road gaining access to their properties would be travelling along this section of Park Lane. In addition, the road narrows just before the bend and this naturally slows cars as they enter the bend toward 19 Park Lane. The road widens outside 19 Park Lane and therefore inter-visibility between drivers manoeuvring to and from the site and both drivers and pedestrians approaching along the highway is likely to be good.
8. Paragraph 109 of the Framework advises that development should be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety and the guidance within Manual for Streets 2 advises that unless there is local evidence to the contrary, a reduction in visibility below the recommended levels will not necessarily be a problem.
9. I consider that the nature of the road, which serves only a small number of properties, and its narrow width will help to slow traffic entering the bend. Therefore, notwithstanding the proximity to the bend and taking into account the reduced visibility to the west for vehicles exiting the site, it is likely that the potential for conflicting movements can be anticipated well ahead by all parties and collisions avoided. The development will provide an off-street parking space for the dwelling, in a location where there is limited on-street parking to serve the number of residential dwellings. The parking space will go some way to avoiding overspill parking problems as set out within Policy 37 of the Sutton Local Plan 2018 (LP), which considers the provision of parking for new developments and seeks to limit overspill parking.
10. I conclude that the development does not have an unacceptable impact on the safety and convenience of highway users. Thus, it accords with Policy 37 of the LP and the Framework.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

G. Pannell

INSPECTOR