



Appeal Decision

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 July 2020

Appeal Ref: APP/L5240/W/20/3244991

3 Henley Lodge, 180 Selhurst Road, London SE25 5SE

- 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 Jeannette Brackenbury against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/02323/HSE, dated 17 May 2019, was refused by notice dated 4 December 2019.
 - The development proposed is new vehicular access and laying of hard surfacing at front.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In response to travel restrictions in place due to the COVID-19 pandemic I consider that this appeal can be determined without the need for a physical site visit. This is because I have been able to reach a decision based on the information already available, supplemented by Google Street View and Google Earth. The appellant and the Council have agreed to the appeal proceeding on that basis.

Main Issue

3. The main issue in this appeal is the effect of the proposal on highway safety.

Reasons

4. The appeal site is an open plan front garden adjacent to Selhurst Road, which is a classified road identified as a London Distributor Road. The site is also close to the signalised junction with Tennison Road and Park Road. The Council refers to the road to the front of the site as being busy, and based on the evidence before me I have no reason to disagree.
5. I consider that the proximity of the site near to a junction would mean that this area is sensitive to awkward or convoluted traffic movements which would result from vehicle reversing manoeuvres generated by the proposal. Drivers travelling along Selhurst Road would be likely to be concentrating on traversing the junction and would not be expecting a vehicle to reverse in this location, leading to vehicles breaking sharply or slowing down unexpectedly. This would significantly increase the risk of collisions.

6. The proposed vehicle access would pass over the pavement and the appeal site is close to pedestrian crossings over the junction. Pedestrian movements in this area would further add to the risk of collisions between vehicles and pedestrians as a result of reversing manoeuvres associated with the site.
7. The Council states that to turn a standard car requires an area at least 4.8m deep by 10m wide. The appellant submits that the area of the proposal exceeds those dimensions. However, whilst I have had regard to the overall dimensions of the proposal, it is clear that the width of the area available is significantly less than 10m.
8. That said, the Council has indicated that it would be prepared to consider lesser dimensions for the proposal based on a swept path analysis for a standard design vehicle. The appellant has provided a swept path analysis showing that a vehicle can enter and leave the site in a forward direction. However, the appellant's evidence is based on a car which is smaller than the standard design vehicle required by the Council. Although the appellant has referred to a number of small cars which meet her submitted dimensions, including relatively sustainable electric vehicles, there is no certainty that cars of this type would be used. On that basis, the Council's concerns in respect of cars reversing into or out of the parking space are well founded.
9. The appellant refers to crossings installed to the front of nearby properties, which are apparent on Street View, and I have not been presented with evidence of traffic safety issues or accidents in association with these. However, there is also no substantive evidence in respect of the circumstances that led to these accesses being created or whether they meet appropriate standards. Moreover, existing crossovers would not justify further development that would add an additional potential source of conflict contrary to the interests of highway safety.
10. The appellant contends that excellent visibility would be provided at the access point. However, even allowing for that and the possibility of low traffic speeds in the vicinity of the junction, I consider that reversing manoeuvres generated by the parking space would be detrimental to pedestrian and vehicle safety due to the sensitivity of this location.
11. I conclude that, due to the likelihood of reversing manoeuvres on a busy road at a sensitive location, the proposal would lead to significant harm to highway safety. The proposal would therefore conflict with Policies SP8 and DM29 of the Croydon Local Plan (2018) and Policy 6.3 of the London Plan (2016) in respect of car parking standards and highway safety.
12. For the reasons given above, and taking account of all material planning considerations, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR