

Appeal Decision

Site visit made on 30 November 2020

by M Scriven BA (Hons) MSc CMgr MCIHT MCMi

an Inspector appointed by the Secretary of State

Decision date: 1 December 2020

Appeal Ref: APP/L5240/D/20/3257418

385 Chipstead Valley Road, Coulsdon, Surrey CR5 3BU

- 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 Victoria Fyfe against the decision of the London Borough of Croydon.
 - The application Ref 19/01633/HSE, dated 7 January 2019, was refused by notice dated 22 June 2020.
 - The development proposed is to create a vehicle access and hardstanding.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on highway safety.

Reasons

3. The appeal property forms part of a terrace of properties on Chipstead Valley Road, a busy main road, under apparent parking stress. The footways appear well used by pedestrians, a school is located nearby, as too the station and small number of shops.
4. The proposed development would introduce a vehicular access and associated off-street parking at the appeal property. The existing plot is clearly narrow and the proposal would not appear to provide sufficient uninterrupted sightlines within the property boundary to provide for adequate pedestrian visibility. I have no detail before me to demonstrate otherwise. Therefore, the necessary visibility splay for such a proposal would be beyond the control of the appellant to keep free from obstruction and cannot be guaranteed. Likewise, most vehicles would not be able to safely access and egress in forward gear.
5. Given the nature of the busy road and irrespective of the driving ability of the appellant, I cannot therefore be satisfied that the safety of highway users would not be harmed as result of the proposed development. An absence of collision information for the site does not lead me to a different conclusion.
6. I acknowledge that several other properties have created off-street parking nearby. However, I have little detail regarding their acceptance, or otherwise. Most driveways on this side of the road appear to be set in wider plots, or shared with neighbours. It would also appear unlikely that any vehicle could both access and egress safely in forward gear from them. Although the presence of the other dropped kerbs nearby may appear to set a strong

precedent, I must primarily consider the proposal on its own merits. As I have found that the proposal would harm highway safety, the existence of other examples does not lessen that harm

7. The appellant considers that parking restrictions are needed, in part due to a recent development nearby, this is a matter for the relevant highway authority to consider.
8. I understand the frustrations of the appellant with regard the impact on day to day life of a lack of available parking. Likewise, that provision of off-street parking may be a more secure means of parking a vehicle. The appellant states that it is national policy to get vehicles off the road, however I have no evidence of this before me. I also have no substantive evidence that the proposed development is required for any diagnosed medical need. Therefore, these matters do not outweigh the likely harm of the proposal to highway safety, particularly to pedestrians.
9. The proposed development would therefore not accord with Policy DM30 of the London Borough of Croydon Local Plan, 2018, which seeks to ensure that development proposals do not harm the safety of highway users. Notwithstanding the appellant's view that the Development Plan is a guide, it does take primacy in decision making.

Conclusion

10. Therefore, for the reasons above the appeal is dismissed.

M Scriven

INSPECTOR