

Appeal Decision

Site visit made on 18 December 2020

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11/02/2021

Appeal Ref: APP/L5240/D/20/3262203

221 Long Lane, Croydon CR0 7TF

- 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 Ana Wetrov against the decision of the Council of the London Borough of Croydon.
 - The application, Ref. 20/03227/HSE, dated 22 July 2020 was refused by notice dated 8 October 2020.
 - The development proposed is a dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb at 221 Long Lane, Croydon in accordance with the terms of the application, Ref. 20/03227/HSE, dated 22 July 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) The development shall be carried out in accordance with the following approved plans including any annotated details thereon: OS based Site Plan; Layout Plan: Proposed Dropped Kerb; Existing and Proposed Site Plans;
 - 3) The parking area shall be constructed with materials and at levels to ensure that surface water does not discharge on to the highway;
 - 4) Prior to the commencement of the works hereby permitted, the applicant shall enter into a written agreement with the Council's Highway Department as required under Section 184 of the Highways Act 1980 for the necessary highways works to the footpath to provide the vehicular crossing. A detailed design of the highways works shall be submitted for approval and all works shall be carried out in accordance with the approved details.

Main Issues

2. The main issues are the effect of the proposed dropped kerb and parking space on parking availability in Long Lane and on highway safety.

Reasons

3. I saw on my visit that the appeal property is located in a part of Long Lane where the houses front on to a service road quite separate from the main road and where vehicular movements are essentially confined to the comings and goings associated with these dwellings. Although there are some exceptions,
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the majority of these properties already use their front gardens for parking on an area of hardstanding and accessed by an associated dropped kerb.

4. The grounds of appeal provide details of the permissions given for Nos. 209, 211, 217 & 235, all in fairly close proximity to the appeal site and all granted since 2015. The appeal proposal would essentially do no more than replicate these and other examples that may have pre-dated 2015 or have been constructed without permission. In addition to those referred to I observed examples at Nos. 215, 219, 223, 225, 227, 229, 231, 233 and 237, noting that the appeal property is adjoined on either side by Nos. 219 and 223.
5. As regards the effect on street parking, the Council argues that the proposal would result in the loss of an on-street parking bay in front of the house and that this would lead to more vehicles trying to find a space. Furthermore, it is considered that the manoeuvres associated with this would have an adverse effect on highway safety.
6. However, the appellant currently parks in the road outside No. 221 and if the appeal is allowed she would instead park within her own front curtilage. There would therefore be no actual net loss of a space, just a space available for the general public. By the same token, the appellant's car could be deducted from the number of vehicles trying to find a space. And bearing in mind that the spaces in this section of Long Road appear to be used mainly by the local residents, I see no reason why the appellant should not have an off-road facility that at least 13 other residents have in this section of Long Lane to the south west of the junction with Longheath Gardens.
7. The Council's other concern is that reversing out of the space would be a hazard to pedestrians and vehicles, especially as the submitted plans do not show visibility splays. It is also considered that with the hardstanding not being offset from the boundaries, there may be two cars parked on the frontage.
8. However, having visited the site I am satisfied that the construction of the dropped kerb and a hardstanding would be both consistent with and complement the existing arrangement for the houses on both flanks, which allows users of the pavement to have a clear sight line of manoeuvring cars. Moreover, as the carriageway is a service / access road, the vehicle speeds are low and there is a full driver awareness of the likelihood of cars entering or leaving the houses. As regards two cars, the appellant says that only one is required and I have no reason to regard this as being untrue.
9. For the reasons explained, I conclude that no harm would be caused as regards parking availability and highway safety in conflict with Policies 6.3 of the London Plan 2016 (as amended); Policies SP8 & DM29 of the Croydon Local Plan 2018, and Section 9: Promoting Sustainable Transport' of the National Planning Framework 2019. I shall therefore allow the appeal. A condition referring to the Highways Act 1980 will ensure the dropped kerb is technically sound; a condition requiring compliance with the approved plans is needed for certainty, and a drainage condition will prevent surface water flooding.

Martin Andrews

INSPECTOR