



Appeal Decision

Site visit made on 09 March 2021
by C Rafferty LLB (Hons), Solicitor

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2021

Appeal Ref: APP/G5180/D/20/3264426

362 Eden Park Avenue, Beckenham BR3 3JL

- 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 Tamara Karam against the decision of the Council of the London Borough of Bromley
 - The application Ref DC/20/02365/FULL6, dated 26 June 2020, was refused by notice dated 14 September 2020.
 - The development proposed is the formation of hardstanding and vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for the formation of hardstanding and vehicular access at 362 Eden Park Avenue, Beckenham BR3 3JL in accordance with the terms of the application, Ref DC/20/02365/FULL6 dated 26 June 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 hereby permitted shall be carried out in accordance with the following approved plan: 362 Eden Park Avenue Rev 1 dated 13 July 2020.
 - 3) The development hereby permitted shall be constructed using the materials specified on the planning application form.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the development on highway safety, with a particular focus on the free flow of traffic.

Reasons for the Recommendation

4. The appeal site comprises a terraced dwelling on residential Eden Park Avenue, fronting onto a classified road. Various access arrangements are present on the street, with many dropped kerbs allowing off street parking to the front of houses.
5. Policy 34 of the London Borough of Bromley Local Development Framework adopted January 2019 (the Local Plan) specifies guidelines that new vehicle crossings should

meet. For classified roads this includes the requirement of a road safety audit demonstrating acceptability. The policy does not specify precisely what information such an audit should include. The appeal statement seeks to assess the safety implications of the proposal and, in the absence of any detail as to what information the Council expects to be provided, I am satisfied that the statement constitutes the appellant's audit in this regard

6. I have also been provided with a copy of an appeal decision from 2014 relating to a vehicle crossover on the street¹. While this relates to a different site and refers to now out of date policies, the relevant circumstances of the surrounding area remain largely unchanged. I therefore afford significant weight to this decision.
7. Vehicles would be unable to turn on site, having to enter or exit in reverse gear. However, the road fronting the site, while narrow and with the potential to be busy, is largely straight with acceptable visibility in both directions. Accordingly, such movements would not significantly impact on highway safety. In addition, as the site is a single residential dwelling, limited movements are likely to be generated by the proposal and implications on the free flow of traffic will not be significant.
8. In any event, such crossovers are common on the street and some have highly similar layouts to the proposal, most notably at neighbouring No. 360. No evidence has been presented to indicate that these cross overs have resulted in accidents or impaired the flow of traffic to any notable degree. Highway users will be alert to the fact that this is a feature of the street, and the addition of one further crossover, mirroring an example already present on the road, would not significantly impact on highway safety or the flow of traffic. The Council states that only two such crossovers on the street benefit from planning permission, noting that these are of a different layout to the site. However, it is clear from the previous appeal decision that the prevalence and variety of crossovers has existed in this location for some time such that this is now an established feature.
9. While the appeal site does have parking to the rear, this is the case for other properties on the street which also benefit from a front crossover. In any event, the road leading to this parking is a narrow low quality road such that it is not conducive to regular use. This would also result in vehicles being inconveniently parked at the end of the long rear gardens.
10. For all of those reasons I find that the development would not have an adverse effect on highway safety, with a particular focus on the free flow of traffic. Accordingly, it would comply with Policies 32 and 34 of the Local Plan.

Conditions

11. The standard time limit condition as well as a condition that the development is carried out in accordance with the approved plan and application form are necessary for the avoidance of doubt and in the interests of proper planning.

Conclusion and Recommendation

12. Having had regard to all matters raised, I recommend that the appeal should be allowed subject to the conditions at paragraph 1 of this report.

C Rafferty

¹ APP/G5180/D/14/2228001

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be allowed subject to the conditions at paragraph 1 of this report.

C Preston

INSPECTOR