



Appeal Decision

Site Visit made on 19 May 2021

by **L J O'Brien BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 June 2021

Appeal Ref: APP/L5240/W/20/3260649

136A Norbury Crescent, Norbury, LONDON, SW16 4JZ

- 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 A Cunningham against the decision of the Council of the London Borough of Croydon.
- The application Ref 20/00945/FUL, dated 23 February 2020, was refused by notice dated 17 April 2020.
- The development proposed is dropped kerb outside property for single driveway access.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. During the appeal process The London Plan, March 2021 (London Plan) was adopted. As such both parties have been offered an opportunity to consider and comment on the London Plan in the context of this appeal and I have, therefore, determined the appeal on the basis of the March 2021 plan.

Main Issue

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

Reasons

4. Norbury Crescent is a reasonably wide, busy, residential road. At the time of my site visit I observed frequent vehicular movements, including busses, and vehicles parked on both sides of the Road. Norbury Crescent is a bus route and a number of bus stops are sited in fairly close proximity to the appeal site. A Day Nursery is sited nearby on the opposite side of the road to the appeal site.
5. The proposal is for the creation of a vehicular crossover outside of No 136A Norbury Crescent. The proposed plan indicates there would be little room to manoeuvre within the parking area. This would mean at least one movement entering or exiting the site would be in reverse gear. The likely scenario would involve drivers entering in forward gear and having to reverse out onto oncoming traffic on Norbury Crescent. Parked cars along the road would restrict visibility from the site.
6. Due to the traffic conditions in the vicinity of the site this arrangement would pose an obvious and significant highway safety risk to pedestrians, cyclists and other road users. Furthermore, when combined with the neighbouring crossovers, pedestrians would have a wide expanse to negotiate safely thus exacerbating the potential risk in this regard.

7. Conversely, should the driver reverse into the site, this would involve having to stop in the road to gain a suitable position to perform the manoeuvre, impeding the efficient operation of the highway network in the vicinity of the appeal site.
8. I note that driveways and vehicle crossovers are common in the area although I do not have details of the circumstances in which they were granted permission. Nevertheless, their presence, and the lack of accident data presented to me, does not convince me the proposal would be safe. In fact, at the time of my site visit I observed a neighbouring resident reversing a vehicle from a nearby driveway onto the road. This manoeuvre required the driver to stop and start a number of times and to reverse out into oncoming traffic impeding the free flow of traffic; thus serving to demonstrate the harm I have outlined above.
9. I acknowledge that paragraph 7.9.5 of Manual for Streets suggests that, in their research, few accidents occurred involving vehicles turning into and out of driveways. However, the extract provided by the appellant is not clear as to whether the aforementioned driveways required vehicles to enter or exit in a reverse gear. Furthermore, as outlined above, the conditions on site in this instance are such that, in my view, the proposed crossover would have a detrimental effect on highway safety.
10. For the reasons outlined above I consider that the development would cause harm to highway safety and would create a hazard to pedestrians, cyclists and vehicular traffic using the highway. The proposal would therefore conflict with Policy T4 of the London Plan and Policy DM29 of The Croydon Local Plan, 2018 (LP). Amongst other things, these policies seek to ensure that developments do not have a detrimental impact on highway safety.
11. The Council also make reference to Policy DM10.2 of the LP and the Suburban Design Guide Supplementary Planning Document. However, in my reading, this policy and guidance is mainly concerned with design and not highway safety and therefore carries limited weight in my assessment of the scheme before me.

Other Matters

12. I acknowledge that the appellant often struggles to park safely at the front of the property and accept that the proposal would represent an improvement to their living conditions in this regard. I also acknowledge that the proposed crossover would serve only one property and the increase in vehicular movements would be limited. I also note the appellant's intention to install an electric vehicle charging point and the associated benefits; however, details of any such charging point do not form part of the proposal before me.
13. I have given careful regard to all of the above considerations. However, none are sufficient to dissuade me from the conclusions I have reached that the proposal would cause harm to highway safety.
14. I have noted a number of other issues raised; including the effect on the provision of on-street parking and the absence of a parking stress survey. However, as this proposal is going to be dismissed for other reasons and the other concerns expressed do not have a direct bearing on the main issue, it is not necessary for these to be explored further as part of this appeal.

Conclusion

15. The proposal would not accord with the development plan when it is considered as a whole. For the reasons given above I conclude that the appeal should be dismissed.

L J O'Brien

INSPECTOR