



Appeal Decision

Site visit made on 17 May 2021

by J D Westbrook BSc(Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th June 2021

Appeal Ref: APP/L5240/D/21/3266972
646 Mitcham Road, Croydon, CR0 3AA

- 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 Selvam Ashok against the decision of the Council of the London Borough of Croydon.
 - The application Ref: 20/05925/HSE, dated 14 November 2020, was refused by notice dated 11 January 2021.
 - The development proposed is the installation of a vehicle crossover and formation of a vehicular access.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue in this case is the effect of the proposed development on highway safety along Mitcham Road

Reasons

3. No 646 is a mid-terraced house situated on the north-eastern side of Mitcham Road. Mitcham Road is designated as a 'Strategic Road' in the Croydon Local Plan (LP), and is a bus route. The proposed development would involve the creation of a vehicular crossover to form a vehicular access from Mitcham Road into the front garden of the property. From the submitted plan, the front garden area would appear to be approximately 5.7 metres wide and 5.1 metres deep. The pavement outside the property is around 3 metres wide, and there are no parking restrictions along this part of the road.
4. Policy DM29 of the LP indicates that in order to reduce the impact of traffic congestion, development must not have a detrimental impact on highway safety for pedestrians, cyclist, public transport users and private vehicles. Policy DM30 of the LP indicates that new development must reduce the impact of car parking in areas of on-street parking stress; ensure that the movement of pedestrians, cycles, public transport and emergency services is not impeded by the provision of car parking; ensure that highway safety is not compromised by the provision of car parking, including off street parking where it requires a new dropped kerb on the strategic road network; and, if the development would result in the loss of existing car parking spaces, demonstrate that there is no need for these car parking spaces by reference to occupancy rates at peak times.

5. The proposed development would result in the loss of an existing on-street parking space. The appellant has not made reference to occupancy rates of the parking spaces along this part of Mitcham Road, but at the time of my site visit, which was late morning, there were very few parking spaces available anywhere in the vicinity of the appeal property, and the road was very busy with traffic.
6. The appellant refers to other properties in the row of houses that have vehicular access into the front garden area, including Nos 638 and 652, both of which have crossovers. I note these examples, but there are very few further instances of properties with such access, either in this row of terraced houses or in other rows nearby. In any case, I have no details of whether these properties have express permission for such access or when any such permission may have been granted. I do not consider that these limited instances should be considered as precedent for the current proposal.
7. The council contends that the dimensions of the front garden are less than as shown on the submitted plans. I have no clear evidence on this issue but, from my inspection, it would appear that the other properties in the vicinity which have vehicular access can accommodate a moderately-sized vehicle in the front garden without any overlap onto the pavement. However, a larger vehicle may well extend over the front boundary. In any case, it would not be possible to turn a vehicle in the front garden to enable entry and exit from the parking space in a forward gear. On this basis, I consider that vehicles reversing into or out of the proposed parking space, from or to the road across the pavement, would represent a potential hazard to both pedestrians and other road users. This would particularly be the case given the heavy road usage along this part of the classified road.
8. In conclusion, and in the light of the above, I find that the proposed crossover and vehicular access would be harmful to highway safety, with regard to both pedestrians and other road users, along this part of Mitcham Road. On this basis, it would conflict with Policies DM29 and DM30 of the LP.

J D Westbrook

INSPECTOR

