

Appeal Decision

Site visit made on 12 October 2021

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2021

Appeal Ref: APP/L5240/W/21/3274604

14 Long Lane, Croydon CR0 7AN

- 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 Mr A Noor of Harmens Estate Agents against the decision of the Council of the London Borough of Croydon.
 - The application Ref 20/05375/FUL, dated 15 October 2020, was refused by notice dated 17 February 2021.
 - The development proposed is creation of a vehicle crossover with turntable on driveway.
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Decision

1. The appeal is allowed and planning permission is granted for creation of a vehicle crossover with turntable on driveway at 14 Long Lane, Croydon, CR0 7AN, in accordance with the terms of the application, Ref 20/05375/FUL, dated 15 October 2020, subject to the conditions in the attached schedule.

Preliminary Matters

2. The applicant name on the application form is Mr A Noor of Harmens Estate Agents. The appellant name on the appeal questionnaire has been inserted as Mr Norman Beg of Redesign Architecture, although it has been subsequently clarified that both Mr Beg and Mr Noor are the agents that are acting for the owner and occupier of the appeal dwelling, Mrs Shah.

Main Issues

3. The main issues are (i) the effects of the proposal on highway safety, and (ii), whether the personal circumstances of the occupier of the appeal dwelling indicate that planning permission should be granted.

Reasons

Highway safety

4. The appeal property currently has a front garden and a generous area of side garden which are set back from the road behind a high hedge.
5. Long Lane, is a Class A, busy distributor road within the local highway network and there was a steady stream of traffic passing the site at the time of my visit. There is a signalised junction in close proximity to the site, meaning that traffic was often queued back to the approximate position of the site in the south-westbound carriageway. There is no ability to park on-street near the appeal site owing to some zig-zag road demarcations and 'Keep Clear'

instructions, but a line of cars had been parked on a wide section of footway approaching the junction instead, which is similarly obstructive.

6. The appeal site adjoins another dwelling (No 15 Long Lane) on one side, and to the other there is a single width secondary access road to the nearby fire station. There are a number of houses further to the north-east along Long Lane that have accesses that cross over the footway to enable parking in front of the respective dwellings, though I cannot be sure of the lawfulness of these.
7. The proposal would introduce a lowered kerb to enable crossing over the footway and result in the creation of a parking space on the area to the front and side of the dwelling. The parking area would be provided with a turntable to ensure that a parked car could enter and leave the site in forward gear. Visibility splays would also be provided. Due to the constrained dimensions of the available space, I do not consider that the parking area could be used by more than one vehicle.
8. Given the appeal site's position in close proximity to the signalised junction and adjacent to the existing fire station access, I do not regard the provision of an additional vehicle crossover as desirable. Whilst pedestrians would anticipate vehicles to be accessing to and from the fire station, a proliferation of domestic vehicle accesses crossing over the footway could compromise the efficiency of the traffic flows and their safety and that of other road users. Whilst I do not consider that the proposal would result in such frequent or high levels of harm given the speeds of traffic or complexity of the road layout, I consider that the added inconvenience and more subtle risks that would be posed to road users would still result in a degree of prejudicial effects that indicates that the creation of such should generally be discouraged.
9. In view of the above, the proposal conflicts with Policies SP8.6 and DM30 of the Croydon Local Plan (2018) (Local Plan) which seek to 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 also seek to improve conditions for walking.

Personal circumstances

10. The appellant has provided evidence of the occupier's ownership of a single domestic vehicle and of some personal circumstances that makes parking said vehicle close to the house more desirable than usual. I regard the evidence as sufficient to indicate that there is a genuine need for the proposal as opposed to simply a preference for added convenience. I also consider that given the circumstances put forward, it is less likely that the parking or turntable space would be used in any other manner than that specifically intended, i.e. for parking and turning a single domestic vehicle. In short, it is clear that the quality of life of the occupant would be materially improved by the appeal proposal.
11. Given that I have found only a minor degree of highway safety harm would result from the proposal, the personal circumstances put forward are of a magnitude that outweighs said harm.

Conditions

12. In addition to the statutory time limit for commencement, conditions should be imposed to specify the approved plans in the interests of certainly.

13. In order to ensure the appearance of the works are complementary to the street scene, a condition is required to ensure that the hard landscaping and means of enclosure are provided in materials that generally match those already present within the dwelling and its frontage space. A condition is also required to ensure that the turntable is provided prior to first use of the space for parking and thereafter maintained as operational.
14. Lastly, given that I have found the personal circumstances of the occupier of the appeal dwelling to justify the permission, I consider it necessary to impose a personal condition to require the cessation of the use of the space for parking in the case that the occupier ceases to reside at the appeal dwelling.

Planning balance and conclusion

15. For the reasons set out above, whilst the highway safety and convenient and efficient use thereof would be compromised by the proposal to a minor extent, thus raising conflict with the development plan, the personal circumstances of the occupier indicate that a decision should be taken other than in strict accordance therewith.
16. For the reasons set out above, the appeal is allowed.

Hollie Nicholls

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Existing Location Plan and Site Plan, ref 1472/EX/001 dated July 2019
 - Existing and Proposed Plans, ref 1472/EX/002 dated July 2019
- 3) All new external work and work of making good shall be carried out in materials to match the existing.
- 4) The parking space shall not be first used until the turntable and visibility splays have been provided on the site in accordance with plan Ref 1472/EX/002 for a single vehicle to be parked and to enable said vehicle to turn so that it may enter and leave the site in forward gear. The turntable and associated visibility splays shall thereafter be maintained and kept free from obstruction at all times for the parking and manoeuvring of said vehicle.
- 5) When No 14 Long Lane ceases to be occupied by Mrs Shah as a main residence, the use of the parking space hereby permitted shall cease and all equipment brought on to the premises in connection with the use thereof shall be removed.