

Appeal Decision

Site visit made on 10 January 2022

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 JANUARY 2022

Appeal Ref: APP/A5270/D/21/3286367

141 Bilton Road, Perivale UB6 7BD

- 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 Karunathevi Shanmuganathan against the decision of the Council of the London Borough of Ealing.
 - The application Ref 214925HH, dated 22 July 2021, was refused by notice dated 5 October 2021.
 - The development proposed is the formation of vehicle crossover.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the safety of highway users.

Reasons

3. The appeal relates to a mid-terrace dwelling located within a road of similar properties. It sits next to No. 143 Bilton Road which is the dwelling at the end of the terrace. This property has frontage parking served by a crossover and a dropped kerb which sits between it and the next property to the west, No. 145 Bilton Road.
 4. The forecourt of the appeal property is already hard surfaced and fully open to the pavement, with a low pillar at each end. The width and depth of the forecourt is sufficient to park one car, but it is not large enough to accommodate a turning facility to enable a vehicle to enter and leave the parking space in a forward gear, as recommended by the Council's adopted Supplementary Planning Guidance titled '*Vehicle Crossovers*' (SPG).
 5. As a result, vehicles would either reverse off the parking space and over the proposed crossover into the road or alternatively, reverse off the road and over the crossover into the car parking space. Whilst visibility along the pavement from the forecourt itself is reasonable, the crossover would sit between kerbside parking spaces. At times vehicles are parked either side of the crossover, visibility would be very restricted. Reversing off the road between the parked vehicles would pose a significant risk to pedestrians whilst reversing between
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parked vehicles directly onto what is a busy road would pose considerable risk to other highway users, even accounting for the presence of traffic calming measures.

6. I am mindful that although the introduction of the proposed crossover would lead to the loss of a kerbside parking space, it would facilitate the use of a private car parking space. Nevertheless, for the above reasons, I conclude that due to the lack of a turning facility within the forecourt, the proposal would cause an unacceptable danger to users of the highway. As a result, it is contrary to the sound design guidance outlined within the SPG and policy T4 of the London Plan, which states that development proposals should not increase road danger.
7. In reaching my decision, I note the presence of other crossovers within the immediate area, including one at 254 Bilton Road. However, I am not aware of the precise planning circumstances relating to them. Moreover, I have considered the proposal before me on its individual merits and specific context, taking into account the most up to date design guidance and planning policies.
8. I am also mindful of the assertion that the Appellant is elderly and requires direct access through the driveway. Whilst I sympathise with this situation, the crossover is likely to remain long after this ceases to be a material consideration. Accordingly, this factor does not outweigh the harm and policy conflict outlined above.
9. In light of the above factors, the appeal does not succeed.

David Fitzsimon

INSPECTOR