

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/W/21/3275082

309 Bilton Road, Perivale UB6 7HH

- 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 Morteza Ashrafi-nik against the decision of the Council of the London Borough of Ealing.
 - The application Ref 204462FUL, dated 30 October 2020, was refused by notice dated 12 January 2021.
 - The development proposed is the formation of vehicle crossover including installation of a dropped kerb.
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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 provision of kerbside parking and the safety of highway users.

Reasons

3. The appeal relates to a semi-detached dwelling located within a road of similar properties. It sits next to No. 307 Bilton Road and the two are separated by a shared access servicing the rear of these properties. An existing dropped kerb is located directly in front of this shared access and appears to be used by both properties.
 4. The forecourt of the appeal property is 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 over the proposed crossover into the road from the forecourt or reverse off the road and over the proposed crossover into the forecourt. Whilst visibility from the forecourt itself along the pavement is reasonable, the crossover would be adjacent to kerbside parking spaces and visibility along the highway would be very restricted when these spaces are occupied. At such times, either manoeuvre would pose risk to users of the
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highway. That said, as the forecourt of the appeal property appears to be served by the existing crossover I have referred to, the proposal would not actually lead to additional vehicles reversing into or out of the highway.

6. Notwithstanding this, the proposed crossover would be 3.5 metres wide. This would be significantly wider than the 2.4 metre maximum width recommended by the SPG. Furthermore, as explained, the proposed crossover would sit immediately adjacent to the existing vehicle crossover which measures 4.8 metres according to the Appellant's submitted plan. The result would be a combined crossover of some 8.3 metres which would be a lot wider than the maximum width of 4.8 metres recommended by the SPG for a shared crossover *'in the interests of retaining on street parking and pedestrian safety'*.
7. Kerbside parking is restricted on the northern side of this part of Bilton Road. As a consequence, I saw that kerbside parking is at a premium on the side where the appeal property sits. The introduction of the crossover would enlarge the existing crossover by a significant amount and would result in the loss of a kerbside parking space. The SPG explicitly seeks to avoid this. The effect could only lead to greater disruption to the free flow of traffic along Bilton Road at times of peak demand for parking as drivers seek out one of a reduced number of kerbside spaces. The provision of the crossover would not compensate for the loss of a kerbside space because the off-street car parking space is already in use and is accessed by the existing crossover.
8. In light of the above factors, I conclude that when considered both individually and alongside the existing crossover at No. 307 Bilton Road, the proposed crossover would be excessively wide and would result in the loss of kerbside parking in an area of high demand. As a result, the proposal would be contrary to the sound design guidance outlined within the SPG and also policy 1.1 of the Council's adopted Local Development Framework Core Strategy, which seeks to promote safe transport networks.
9. I am mindful of the presence of other wide crossovers within the immediate area. 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, taking into account the most up to date design guidance and planning policies.
10. In light of the above factors, the appeal does not succeed.

David Fitzsimon

INSPECTOR