



Appeal Decision

Site visit made on 19 October 2021 by Thomas Courtney BA(Hons) MA

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 February 2022

Appeal Ref: APP/A5270/W/21/3272205

5 Thames Avenue, Perivale, UB6 8JL

- 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 Ms J. Radomska against the decision of the London Borough of Ealing Council.
 - The application Ref 204387HH, dated 15 October 2020, was refused by notice dated 7 January 2021.
 - The development proposed is the formation of vehicle crossover.
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Decision

1. The appeal is allowed and planning permission is granted for the formation of a vehicle crossover at 5 Thames Avenue, Perivale, UB6 8JL, in accordance with the terms of application Ref 204387HH, dated 15 October 2020 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. P1007/11, Proposed Site Plan 1/200 and Lamp Post plan dated 11 November 2020.
 - 3) Pedestrian visibility splays measuring 1.5m by 1.5m, with no obstruction more than 0.6m in height for the vehicle access where it meets the back edge of the footway, shall be provided and maintained at all times. These shall be established prior to the first use of the driveway and shall be permanently retained thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. In the interest of accuracy and conciseness, the description of development used in the header above is based on that used on the Council's decision notice.

Main Issue

4. The main issue is the effect of the development on highway safety.
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Reasons for the Recommendation

5. The appeal relates to the existing vehicular crossover at No. 5 Thames Avenue, a semi-detached property on the western side of the road. The crossover fronts a shared accessway between the appeal property and the neighbouring property at No. 3 Thames Avenue. The existing crossover appears to be solely used by the occupants of No. 5 as the occupants of No. 3 use the crossover located directly opposite the neighbouring dwelling.
6. The Council contends that the proposed crossover extension would compromise pedestrian safety by reducing the amount of footpath which is clear of crossovers. However, as a consequence of difficulties of manoeuvrability for vehicles currently using the existing crossover to the site, I find that a widened accessway would result in an improvement over the existing situation and would allow for a safe entry point directly opposite the off-street parking spaces. Indeed, a larger crossover would allow for greater visibility and ease of movement which would further improve the safety of pedestrians and highway users.
7. I acknowledge the Council's contention that only a single crossover for a single dwelling would usually be allowed. However, in this particular instance, the existing crossover is awkwardly positioned, serves a shared accessway and endangers highway safety. I further note the reference to the Council's 'Vehicle Crossovers: Application Pack for Residents' (2016) document, which sets out that when a property is located adjacent to an alleyway, over which access rights are enjoyed, then an extension to the alleyway dropped kerb to a maximum width of 4.8m would be allowed. This material consideration I note not to have been disputed by the Council.
8. In light of this, I am satisfied that extending the dropped kerb would be acceptable as it would allow safe access. Given the above, the proposal would not harm highway and pedestrian safety and would thus not conflict with Policy 7B of the Ealing's Development Management – Development Plan Document (2013) (the 'Local Plan'), referred to in the Officer Report, which seeks to ensure proposals achieve a high standard of amenity for users by providing appropriate accessibility and legibility. It would adhere to the 'Vehicle Crossovers: Application Pack for Residents' (2016) document which seeks to ensure new crossovers do not unduly impact on the safety of the highway.
9. The decision notice refers to Policy 6.3 of the London Plan (2016) and Policy 1.1 of the Ealing Local Development Framework - Adopted Core Strategy (2012) however the London Plan (2016) is out of date and Policy 1.1 is not relevant to the proposal as it is a broad strategic policy relating to the spatial vision for Ealing.

Conditions

10. I have considered the Council's suggested conditions against the advice on conditions set out in the National Planning Policy Framework and the Planning Practice Guidance.
11. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have also imposed a condition relating to pedestrian visibility splays in the interest of highway safety.

Recommendation

12. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Martin Seaton

INSPECTOR