



Appeal Decision

Site visits made on 16 and 18 January 2022

by A. J. Boughton MA(IPSD), Dip.Arch, Dip.Conservation, RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 04 FEBRUARY 2022

Appeal Ref: APP/M5450/D/21/3284648
66 Village Way Pinner HA5 5AG

- 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 Kasienathan Balaji against the decision of The London Borough of Harrow.
 - The application Ref P/3209/21, dated 30 July 2021, was refused by notice dated 23 September 2021.
 - The development proposed is a dropped kerb vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of a dropped kerb vehicle access at 66 Village Way Pinner HA5 5AG. in accordance with the terms of the application, Ref P/3209/21/ dated 30 July 2021 subject to the following 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 drawing 572 PL-01.

Main Issue

2. The main issue is the effect of the development upon highway safety.

Reasons

3. The application is for the installation of a dropped kerb relating to a parking area fronting 66 Village Way which, from my observations, appears to be established, incidental to the occupation of the dwelling and currently in regular use by vehicles who access it by mounting the kerb. The lawfulness of that use is not before me to consider but I note that neither party has indicated any dispute on that point.
4. The refusal reason refers to a single policy, DM42 Parking Standards of the Harrow Development Management Policies Local Plan (2013). However what is before me relates to extant residential curtilage and does not require a decision that would either permit or refuse permission for parking, I am consequently unable to find any conflict with Policy DM42 which seeks to manage parking provision for new development.
5. As it is likely that the use of the parking area will continue I now turn to the matter of the pavement crossover. It has not been suggested that the current use has created any hazard to highway safety nor, if some hazard were

alleged, has it been explained how it would be mitigated by refusing a crossover in the location identified. Pavement crossovers will tend to smooth the entry and egress of vehicles and assist in the flow of traffic along this busy road.

6. I therefore conclude that the provision of the pavement crossover will not harm highway safety and, therefore, having regard to all matters raised, that the appeal should succeed subject to the usual time limit condition and a plans condition in the interests of certainty.

Andrew Boughton

INSPECTOR