



Appeal Decision

Site visit made on 26 October 2021 by Ms S Maur

Decision by S Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 May 2022

Appeal Ref: APP/A5270/D/21/3280147

Site Address: 1246 Greenford Road, Greenford UB6 0HH

- 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 Justin Bud against the decision of the Council of the London Borough of Ealing.
 - The application Ref 213270HH, dated 20 April 2021, was refused by notice dated 17 June 2021.
 - The development proposed is a vehicular crossover.
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Decision

1. The appeal is dismissed.

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.

Main Issue

3. The main issue is the effect of the vehicular crossover on highway safety.

Reasons for the Recommendation

4. The host dwelling is a semi-detached dwelling with a small front garden that fronts onto Greenford Road, a busy classified distributor road.
5. The proposal includes a provision of a vehicular crossover and dropped kerb to allow vehicles to park at the front of the property in the current garden. The proposed crossover would have a width of 2.4m and the driveway would have a depth of 4.8m. Pedestrian visibility sightlines 1.5m wide would be provided on either side of the driveway.
6. There is no dispute between the parties that the front garden, which is of limited depth and width, would be insufficient to enable a vehicle to enter, manoeuvre and exit the site in forward gear. Indeed, the appellant has not demonstrated how this would be possible. Accordingly, any parked vehicle would need to reverse onto or off the site.
7. This issue was considered in 2014 when a similar application¹ was refused on the 18 March 2014 and subsequently appealed² and dismissed on 17 June

¹ PP/2013/5081

² APP/A5270/D/14/2218430

2014. The Inspector in that case found that the proposed vehicle crossover would cause unacceptable harm to the highway safety of drivers using the crossover and other vehicle users. However, since that time the speed limit in the vicinity of the site has been reduced from 30mph to 20mph and this is a matter which I have taken into consideration. No vehicle speed studies have been carried out, but I have no reason to believe that the speed limit is not being adhered to.
8. In the vicinity of the site the nearside carriageway splits into two to provide an additional lane at the nearby signal-controlled junction. Immediately outside the site is a yellow line preventing parking but beyond that, away from the junction, the road was heavily parked. Any vehicles reversing out of No 1246 would have limited visibility as a result of the parked cars and would reverse onto the carriageway at a point where drivers are changing lanes and focussing on the traffic lights. Alternatively, were a vehicle to stop on the highway to reverse onto the site at a point where drivers are changing lanes a similar risk of collision would occur. Therefore, although the speed limit has been reduced, due to the proximity to the junction, the increase in lanes at this point and the heavy traffic flow, the proposal would still result in significant harm to the safety of road users.
 9. Photographic evidence has been provided to demonstrate that vehicles park beyond the house on the single yellow line. It seems to me that these parked cars would add to the confusion of drivers seeking to approach the junction in the left-hand lane. Therefore, rather than mitigating against any harm it seems to me that their presence would further compound it.
 10. The appellant indicates that the appeal site is located 40.0m away from the junction, further away than the Council has stated, and points out that an application³ for a cross over located in a similar proximity to the junction was permitted at No.1228 and another, at No. 1254⁴, granted on appeal. I do not have the full details of these cases before me, but I noted at my site visit that there are many other crossovers along Greenford Lane. However, none of the other crossovers appear to be located in the same position as that before me in terms of their proximity to the junction and the position where the lane divides into two. Therefore, the presence of other crossovers is given limited weight in my consideration. Although the Council has not reported any recent accidents of note in the vicinity of the site, I am not persuaded that this justifies the proposal.
 11. I acknowledge that the proposal meets the guidance in the Council's Vehicle Crossovers: Application Pack for Residents (2016). However, it seems to me the function of the document is primarily related to an application for a dropped kerb and not a planning application in which a judgement about the merits of a case, and in particular its effect on highway safety, is made. In this particular case, the safety issue centres on the lack of turning facilities on site. The proposed visibility splays and the low boundary wall would not overcome the potential safety issues for the reasons set out.
 12. For the reasons given above, the extension would cause substantial harm to the safety of road users. As such, the proposal would be contrary to Policy 1.1 of the Ealing Development Strategy 2026 Development Plan Document (2012)

³ Ref: 213801HH

⁴ Ref: P/2009/3080

and Policy T4 of The London Plan which seeks to support sustainable safe transport networks by not increasing road danger. Likewise, the proposal is also contrary to the National Planning Policy Framework which seeks to achieve development that does not have an unacceptable impact on highway safety and that safe and sustainable access to the site can be achieved for all users.

13. Policy D8 relating to the public realm and Policy G7 relating to trees and woodland of the London Plan (2021) are not of particular relevance to this scheme for a single vehicular access. Policy T2 of the London Plan (2021), where it relates to the consideration of development proposals does not directly deal with highway safety issues. However, any lack of direct conflict with these policies does not mitigate or outweigh the conflict with the policies identified above.

Conclusion and Recommendation

14. Based on the above, and having regard to all matters raised, I conclude that there are no material circumstances that indicate the development should be allowed contrary to the development plan. Accordingly, I recommend that the appeal should be dismissed.

Ms S Maur

APPEAL PLANNING OFFICER

Inspector's Decision

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

S Ashworth

INSPECTOR