



Appeal Decision

Site visit made on 23 December 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 20th January 2023

Appeal Ref: APP/L5240/D/22/3307331

21 Georgia Road, Thornton Heath, Croydon CR7 8DU

- 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 Mohammed Aadil Nawaz against the decision of the Council of the London Borough of Croydon.
 - The application Ref 22/02049/HSE, dated 10 May 2022, was refused by notice dated 6 July 2022.
 - The development proposed is the widening of crossover and dropped kerb for vehicular access.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Although referred to in the second reason for refusal, the Council has confirmed that the *Suburban Design Guide Supplementary Planning Document* has been revoked.

Main Issues

3. It is considered that the main issues are the effects of the proposed development on (a) the safety of other highway users and (b) the character and appearance of the streetscene.

Reasons

Highway Safety

4. The proposed development includes the widening of an existing crossover to reflect the width of the front garden of the appeal property. The intention of the appellant is to enable easier access for vehicles to park within the full width of the front garden which would potentially increase the number of vehicles entering and exiting the front garden. Reference is made in the Transportation Officer's response to the Council's *Dropped Kerb and Crossover Guidance Note* whereby a combined crossover accessing 2 properties should be a maximum of 4 metres. However, this *Note* has not been provided and is referred to as guidance rather than being a policy in the development plan.
5. The effect of the appeal scheme would be to create an extended dropped kerb adjacent to the carriageway which would incorporate the crossovers of both 19 Georgia Road and the property. Along this part of Georgia Road there are crossovers of varying widths, including some being almost the full width of the

front gardens of their host properties. Some of the crossovers of individual properties merge to create extended dropped kerbs along the edge of the carriageway which exceed the 4 metres referred to in the guidance *Note*. There is no specific evidence provided to indicate that these wider crossovers are currently a significant danger to other highway users.

6. At the time of the morning site visit there was no obvious evidence of there being parking stress along the road. There were opportunities for on-street parking to occur without causing either the obstruction of crossovers, including at locations where there are wide crossovers exceeding the 4 metres referred to in the *Note*, or a danger to other highway users. Based upon these observations, the potential loss of a single on-street parking space associated with the proposed widened crossover would not result in unacceptable on-street parking stress.
7. From what was observed during the site visit at the property and other dwellings, the front gardens have a depth which is sufficient to accommodate parked vehicles without overhanging the footway. There is also sufficient space to enable drivers and passengers to enter and exit their vehicles and walk around them to the front door.
8. However, although the claims of the appellant about the height of the means of enclosure fronting highways has been noted, there is no information provided concerning the availability of adequate visibility splays along the footway and whether these splays would be in the control of the appellant and the highway authority. Such control would enable a suitable condition to be imposed to maintain the splays in the future. In the absence of this information, there is a legitimate concern whether the increase in the number of manoeuvring vehicles, particularly in reverse gear, into and out of the property's front garden would represent a danger to the safety of pedestrians walking along the footway.
9. Accordingly, in the absence of suitable information about visibility splays, it is concluded that the proposed development would represent an unacceptable danger to the safety of other highway users and, as such, it would conflict with Policy D3 of the London Plan (LP) which requires development proposals not to increase road danger. Policies DM10.2, DM29 and DM30 of the Croydon Local Plan (CLP) are not considered to be of direct relevance to this issue because they are concerned with parking for new developments, addressing traffic congestion and the design implications of forecourt parking rather than proposals for extended crossovers.

Character and Appearance

10. The Council has raised concerns about the construction impacts of the proposed development on a street tree which the appellant claims is in-front of 23 Georgia Road. However, the tree is not plotted on the submitted drawings and as observed during the site visit it is approximately located between the appeal property and No. 23.
11. From what was observed, because of the siting and extent of the proposed development the Council's concerns about the construction impacts on the tree are well founded, particularly the effects on tree roots. There is a lack of any evidence from the appellant to demonstrate that the tree would be protected during the construction period and that it would continue to flourish as a valued

part of the streetscene which includes other street trees. There would be a conflict with CLP Policy DM28 and LP Policy G7 both concerning the protection of trees during construction and not permitting development that could result in future avoidable loss of a tree which has amenity value.

12. On this matter and in the absence of appropriate evidence, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the streetscene and, in addition to conflicting with CLP Policy DM28 and LP Policy G7, there would be a conflict with CLP Policies SP4 and DM10 which seek high quality development that, amongst other matters, respects the appearance and natural features of the surrounding area. CLP Policy SP7 refers to the green grid and supporting the planting rather than retention of street trees.
13. Accordingly, and for the reasons given, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR