
Appeal Decision

Site visit made on 3 April 2023

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 20th April 2023

Appeal Ref: APP/L5240/D/22/3313565
58 South Norwood Hill, London SE25 6AF

- 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 Roy Blake against the decision of the Council of the London Borough of Croydon.
 - The application Ref 22/02726/HSE, dated 27 June 2022, was refused by notice dated 29 November 2022.
 - The development proposed is for a dropped kerb.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effects of the proposal on highway safety and on the character and appearance of the area.

Reasons

3. The appeal relates to this 2 storey house which sits at the end of a terrace of 5 properties. It is located adjacent to the junction of Southern Avenue with South Norwood Hill. Although the main carriageway of South Norwood Hill is a busy road, the section adjacent to the appeal site is a service road set behind a wide verge and separate from the main road. It is one-way and serves the 5 houses here.
4. The appeal seeks to construct a dropped kerb of 3m width with an additional half a metre either side for the splays to the kerb. The submitted plans indicate that a car would be parked at an angle within the frontage of the property as there would be insufficient depth to park a normal sized car at right-angles to the highway. The property also has a vehicular access and parking within its rear area, with access from Southern Avenue.
5. The Council indicates that their normal maximum width of crossover is 2.4m plus splays of 0.5m either side. They would normally resist additional access points where a property has an existing crossover and they would normally require it to be demonstrated that a car would park at right-angles to the road and give adequate visibility for drivers and pedestrians. Furthermore, the Council would normally resist a crossover within 10m of a road junction.

6. The appellant has not supplied any swept-path information to indicate how a vehicle would be able to enter and leave the property. The intention of the Council, as set out in their 'Vehicle Crossovers' document, is that the width of crossovers would be limited to 2.4m so that pedestrian safety is maintained and so that unacceptable effects on the appearance of the area do not result. The proposed width of the access exceeds this, and, in combination with other access points would contribute to an erosion of pedestrian safety. The appellant indicates that a car parked here would be able to turn within the site and enter and leave in a forward gear. This would seem improbable to me and even if it were done, it would most likely involve crossing the pavement outside the confines of the crossover point. Additionally, given the dimensions of the site, such a manoeuvre would not be easy and I consider that a driver would resort to reversing out.
7. The crossover would be very close to the junction of the 2 roads and would mean that a car could be manoeuvring into or out of the appeal site, when a car is turning into the adjacent road, giving very little visibility of a car at the appeal site, prior to entering the road. I appreciate the appellant's points that the road is likely to be lightly used and that the low boundary wall would not be likely to hinder visibility. However, at a busy time, cars may use this section of the road to bypass the main junction of Southern Avenue with South Norwood Hill, as I saw at my site visit. In my consideration of these factors, there is still a likelihood that a car could enter this section of the road while a car is manoeuvring adjacent to the appeal site, without sufficient forward visibility to maintain safety.
8. The existing access to the rear of the property on Southern Avenue would appear to provide for off-street parking. The Council's 'Vehicle Crossovers' states that *"Only one vehicle crossover will be allowed per property. Provision of a second crossover will be considered only when exceptional circumstances. Multiple crossovers cause hazards to pedestrian road users, particularly vulnerable groups such as the elderly, disabled and children. They are also detrimental to the streetscene where they result in all or most of the front garden being made into hardstanding."* It seems clear that the Council's concern is not just about the visual effects, as suggested by the appellant. I interpret the Council's submissions to mean that crossovers in general can cause some degree of hazard but will be allowed in a number of circumstances and so that properties in general can benefit from vehicular access but where a property already has a crossover that justification is considerably reduced. I find that to be the case here.
9. Taking these matters together, I find that there is insufficient justification for an additional crossover at this property and that the proposal would represent an additional and unjustified hazard to vehicles, drivers and pedestrians. Therefore, the proposal is contrary to Policies DM30 of the Croydon Local Plan and T4 of The London Plan.
10. In relation to the effects on the character and appearance of the area, the Council object to the amount of hard surfacing that would be used to provide the parking area. However, the hard-surfacing is already there. The appellant indicates that it has been constructed as Permitted Development and the Council appears to indicate that it is not Permitted Development. It is not for me to seek to make a determination whether this is Permitted Development or not. In the absence of a formal application and determination, I am treating

the hard-surfacing as an existing feature and its effect on the area has already been made, outside the scope of this appeal. This would have no effect on any future action by either the appellant or the Council in this respect.

Conclusion

11. For the reasons set out above, I conclude that the proposal would have an unacceptable effect on the free and safe use of the adjacent highway. These concerns are not outweighed by any other matters. Consequently, the appeal is dismissed.

T Wood

INSPECTOR