

Appeal Decision

Site visit made on 8 February 2024

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 March 2024

Appeal Ref: APP/L5240/D/23/3334810

135 Central Hill, Upper Norwood, London SE19 1BY

- 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 Gregory Chen against the decision of the Council of the London Borough of Croydon.
 - The application, Ref. 22/04628/FUL, dated 6 November 2022, was refused by notice dated 8 December 2023.
 - The development proposed is to change the 13.4 x 9 metres front garden into a designated driveway with concrete foundation/paveblocks.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the safety of pedestrians and vehicles using the highway.

Reasons

3. I saw on my visit that the appeal property is a semi-detached property with a front garden which the appellant seeks to change from grass to a hard surface to permit vehicular access from Central Hill and accommodate vehicle parking. I also observed that for the most part neighbouring properties do not have frontage parking and crossovers, with the nearest on this side of the road being at Nos. 119/121 to the southeast and No. 141E to the northwest, some distance beyond the junction with Hermitage Road.
 4. Central Hill is part of the classified A214 and is also a bus route, with a bus stop and 'cage' only 10m from the proposed crossover. The Council has not supplied traffic figures from the road, but from observation at my site inspection I consider it reasonable to describe Central Hill as a 'busy road'.
 5. In the event that parking were to be allowed on the front garden of No. 135, it is likely that cars would reverse out into the carriageway. It has not been demonstrated in this application that there would be enough space for on-site turning and in any event it would be more convenient for vehicles to back out than to manoeuvre and leave in a forward gear. In my view, vehicles reversing onto Central Hill in this location would represent a significant traffic hazard.
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6. Moreover, as the Council's report points out, there would be occasions when a bus offloading passengers at the stop would severely restrict the views of both the driver of the reversing car and drivers already on the road and overtaking the stationary bus. This would significantly increase the risk of an accident. It is also reasonable to expect this part of the pavement to be busier as a result of passengers alighting from the bus and walking along the pavement towards the junction with Hermitage Road. This too would increase the risk of accidents with a vehicle driving into or out of the parking area in front of the house, particularly when driving out.
7. I have given careful consideration to the grounds of appeal which explain that the appellant's family have serious medical issues. This results in particular difficulties with the absence of parking within the front curtilage of the property and the need to rely on roadside parking. However, whilst I have taken these points into account I consider that not only would the appellant and his family be exposed to increased risk if a crossover and parking were to be provided, but also there would be a significant increase in danger to the general public. As I have explained, this risk would be to drivers and their passengers on Central Hill and to pedestrians on the pavement, including those using the bus stop.
8. I therefore conclude that the appeal proposal would be in clear conflict with the relevant parts of Policy T4 of the London Plan 2021 and with Policies SP8.6, DM28 & DM30 of the Croydon Local Plan 2018.
9. In these circumstances and having had regard to the matters raised in the grounds of appeal, I nonetheless consider it necessary to dismiss the appeal.

Martin Andrews

INSPECTOR