
Appeal Decision

Site visit made on 19 March 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09.04.2024

Appeal Ref: APP/L5240/D/24/3337030

43 Stoats Nest Road, Coulsdon CR5 2JJ

- 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 Lawrence Bob against the decision of the Council of the London Borough of Croydon.
 - The application Ref 23/03742/HSE, dated 4 October 2023, was refused by notice dated 6 December 2023.
 - The proposed development is for a dropped kerb to facilitate parking of car on the driveway- access to the driveway would be from the main highway.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb to facilitate parking of car on the driveway - access to the driveway would be from the main highway at 43 Stoats Nest Road, Coulsdon CR5 2JJ in accordance with the terms of the application Ref 23/03742/HSE, dated 4 October 2023, subject to the conditions in the attached schedule.

Main Issue

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

Reasons

3. The appeal site comprises a semi-detached bungalow on Stoats Nest Road. The neighbourhood is predominantly residential in nature, with myriad other vehicular crossovers serving dwellings in the vicinity. At my site visit I saw that the front garden of the property has been cleared and laid with gravel, although it appears somewhat unfinished.
4. The Council's Vehicular Crossover guidance recommends a minimum front garden turning area of 8 x 10m to enable turning on site. With the aid of a tape measure I was able to ascertain that the space available on the frontage of the site is broadly in accordance with these dimensions, and would therefore allow for access and egress in a forward gear. Taken together with the infrequency and short duration of crossing manoeuvres, the low speeds involved and the relatively wide footway to the front, I am satisfied that there would be no adverse impacts on local highway conditions.
5. I note the Council's reference to the dismissed appeal at 59 Stoats Nest Road. I observed that the front garden to this residence is significantly smaller than the appeal scheme before me, and as such is not comparable in relative terms.

6. I am satisfied that hedging could be planted along the frontage and to soften the appearance of the proposals. Other works undertaken to the boundaries and to the surface of the driveway would ensure that the scheme would harmonise with the streetscene.
7. On this basis I am drawn to conclude that the scheme would not result in a detrimental impact upon highway safety. It would accord with Policy T4 of the London Plan (2021) and Policies DM29 and DM30 of The Croydon Local Plan (2018), which state that development should not increase road danger and ensure that safety is not compromised. It would be consistent with the advice in the National Planning Policy Framework, which seeks to ensure that development does not have an unacceptable impact on highway safety.

Conditions

8. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. A condition relating to the retention of the parking and turning area in accordance with the plans submitted as part of the appeal is required to preserve highway and pedestrian safety.
9. Fire safety requirements can be ensured such that necessary measures are incorporated in to the proposals. A boundary treatment and landscaping scheme would provide for appropriate planting and finishing the in the interests of ensuring a satisfactory appearance and adequate drainage.

Conclusion

10. Given my reasoning, I allow the appeal.

C Hall

INSPECTOR

Schedule of 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 the following approved plans: 02-01 P1, 02-02 P1, proposed plan 2 frontage area calculation.
- 3) The parking space and turning area as shown on the proposed plan 2 front area calculation drawing shall be kept available for those purposes to allow vehicles to park on site and turn so that they may enter and leave the site in a forward gear.
- 4) The development hereby permitted shall be carried out in accordance with the provisions of the Fire Statement (submitted on 11.09.2023).

- 5) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme showing proposed boundary treatments and hard and soft landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.