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## Appeal Decision

Site visit made on 9 December 2024

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10<sup>th</sup> January 2025

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**Appeal Ref: APP/L5240/W/24/3346125**

**90 Limsfield Road, South Croydon, Surrey CR2 9EE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Lindsay Davis against the decision of the Council of the London Borough of Croydon.
  - The application Ref is 24/00727/FUL.
  - The development proposed is formation of dropped kerb to footway to allow vehicular access to existing paved forecourt.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. I have used the site address from the appeal form for accuracy.

### Main Issues

3. The main issues are the effect of the proposed development on highway safety and the character and appearance of the area.

### Reasons

#### *Highway safety*

4. The appeal site (the site) is a mixed-use terraced property including a commercial unit on the ground floor and an open, paved forecourt to the front (the forecourt). The site forms part of a short parade of similar properties (the parade) facing onto the B269 Limsfield Road, which is a classified road. The proposed development is a dropped kerb to allow vehicular access to the forecourt.
5. Policies SP8 and DM29 of the Croydon Local Plan (2018) (the Local Plan) aim to promote walking. Policies T4 of the London Plan (2021), and DM29 and DM30 of the Local Plan prohibit development that would compromise highway safety. Whether any vehicular crossover is, or in the case of proposed development, would be, safe depends on the details in each instance.
6. A Council guidance document entitled Vehicle Crossovers states that, for reasons of highway safety, crossovers will only be permitted on classified roads if a vehicle can enter and leave the site in forward gear, and that visibility splays must provide sightlines of 1.5m x 1.5m over 0.6m at a property boundary. Whilst I have no information as to the status of the guidance, I consider the above requirements reasonable and in line with general good practice.

7. The plans include a swept-path diagram showing a car entering and leaving the site in forward gear without undertaking turning manoeuvres on the pavement. The car in question is 3.6m long. The Council asserts that 4.8m is the appropriate dimension for vehicle length. Whilst the guidance states that parking spaces should be 4.8m deep, I have no evidence that swept-path diagrams should be based on cars of a particular length. Nevertheless, it is common for cars to be longer than 3.6m and, as such, the submitted plans do not demonstrate that safe manoeuvring to and from the forecourt would be possible for the average car. Furthermore, the plans do not demonstrate that car doors can be opened without overhanging the pavement. As such, it is not demonstrated that the proposed arrangement would be safe for pedestrians.
8. There is no boundary enclosure at the site or at the neighbouring sites and, as such, driver sightlines would be sufficient. Whilst the guidance states single crossovers will be provided at 2.4m, I have no evidence that a wider crossover could not be provided if the appeal were to succeed. Overall, however, it has not been demonstrated that the proposed development would be safe for pedestrians. As such, the proposal is contrary to Policies SP8, DM29 and DM30 of the Local Plan, and to Policy T4 of the London Plan.

#### *Character and appearance*

9. Each property in the parade has a paved forecourt. Though simple in design, the forecourts permit unobstructed views of the shopfronts and, where glazing exists, of internal displays and arrangements in the commercial units. The forecourts are short, creating a close visual connection between the pavement and the units. With the exception of a rail between numbers 92 and 94 Limpsfield Road, the forecourts are open to one another. Overall, the arrangement gives a sense of approachability to the units, and a pleasing visual cohesion to the parade.
10. Whilst the proposed development would not, within itself, obstruct views of the commercial unit at the site or those either side of it, it would facilitate and encourage the parking of a vehicle on the forecourt. Any such vehicle would significantly hinder views of the appeal site shopfront and the shopfront of at least one of the neighbouring sites. This would undermine the approachable appearance of the site and harmfully erode the current open character of the parade.
11. There are crossovers at either end of the parade, outside numbers 94 and 88 Limpsfield Road (No 94 and No 88 respectively). The former serves a parking space alongside No 94, which is behind the front building line of the parade and, as such, does not have an effect on the appearance of the parade comparable to that of the appeal proposal. Whilst it may be used to gain vehicular access to the forecourt of No 94, I have no evidence that this practice is lawful.
12. The crossover at No 88 results from a permission in 1987. The Council asserts that it only permitted parking on a limited portion of forecourt, outside a single-storey element on the edge of the parade. I do not have details of the permission before me. Nevertheless, given the size of the forecourt area in question, it could only be used by very short vehicles such as motorbikes or a compact city car. Any such parking would therefore not have an effect on the appearance of the parade comparable to that of the appeal proposal. For these reasons I attach minimal weight to the presence of crossovers outside No 94 and No 88.

13. Whilst crossovers are so common along Limpsfield Road as to be characteristic of the area, I have no evidence that they result in arrangements comparable to those in the proposed development, as described above. I attach minimal weight to their presence, therefore.
14. Overall, the proposed development would harm the character and appearance of the area, contrary to Policies SP4 and DM10 of the Local Plan and Policy D4 of the London Plan, where they require high quality design based on local character.

### **Other Matters**

15. I recognise that some motorists might choose to drive over the raised kerb onto the forecourt. However, this does not justify a formalisation of the practice through the creation of a dropped kerb which would encourage regular parking on the forecourt and thus lead to the harms I have described above.

### **Planning Balance and Conclusion**

16. I appreciate that the proposed development would assist in the operation of the business at the appeal site and offer greater convenience to visitors experiencing reduced mobility. I have no evidence to show the implications of my determination for the business, or the degree of need its customers have. Overall therefore, on the evidence I have, such considerations are substantially outweighed by the importance of ensuring highway safety and by the harm the proposed development would cause to the character and appearance of the area.
17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

*A Knight*

INSPECTOR