
Appeal Decision

Site visit made on 20 February 2025

by **O Tresise MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 April 2025

Appeal Ref: APP/L5240/D/24/3350647

17 Green Lane, Thornton Heath CR7 8BG

- 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 Mrs Nosheen Rizwan against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/01580/HSE.
 - The development proposed is a dropped kerb.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged, the National Planning Policy Framework has been updated. However, I am satisfied that there are no changes of any consequence for the main issue in this appeal.
3. The description of development in the application contains superfluous information. I have determined the appeal on the basis that it is for a dropped kerb as set out in the banner heading.

Main Issue

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

Reasons

5. Green Lane has pavements on both sides and there is a bus stop close to the site. On the opposite side of the road is a parking area associated with a shopping parade. There is some on-street parking which is in part restricted by yellow lines and existing dropped kerbs serving neighbouring properties. In combination these features result in a busy urban environment for all users.
6. The proposed parking space is of sufficient size to accommodate a vehicle without overhanging the highway. However, there is no capacity to allow the vehicle to turn and leave the site in forward gear as recommended by the London Borough of Croydon (LBC) Vehicle Crossovers guidance. Given the drivers position it would not be possible to see oncoming pedestrians, cyclists and vehicles. Whilst vehicles may be moving at low speeds and infrequently, these manoeuvres could result in conditions which would endanger other road users.

7. There are other dropped kerbs in the area. The Council refers to these as predating the adoption of the LBC Vehicle Crossover guidance. These may affect driver behaviour, however on the basis of my observations on site the proposed arrangements would nevertheless have a harmful impact. Furthermore, although the appellant refers to an absence of accident data, in itself this does not justify the provision of car parking which would compromise highway safety.
8. I therefore conclude that the proposal would be contrary to Policies DM29 and DM30 of the Local Plan and Policy T4 of the London Plan 2021, taken together, which ensure that new development does not have a detrimental effect on highway safety and that it is not compromised by the provision of off-street parking.
9. I note reference has been made to Policy SP8 of the Local Plan. However, this policy specifically relates to new transport schemes within the area, therefore, is not relevant to this decision.

Conclusion

10. 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. For the reasons given above, the appeal should be dismissed.

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INSPECTOR