



Appeal Decision

Site visit made on 11 March 2025 by Elizabeth Davies BSc (Hons) MIEMA, CEnv

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/P5870/D/25/3359555

178 Green Wrythe Lane, Sutton, Carshalton SM5 2SR

- 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 Ms Lai Yu Chung against the decision of the Council of the London Borough of Sutton.
 - The application Ref is DM2024/01519.
 - The development proposed is formation of a new vehicle crossover.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. I have taken the description of development from the Council's Decision Notice as this is more precise.

Main Issue

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

Reasons for the Recommendation

5. The appeal property is a two-storey terrace dwelling located on Green Wrythe Lane, close to the junction with Muschamp Road. The frontage of the appeal property is paved and relatively open. There are on street parking bays located outside the appeal property and neighbouring properties. These marked bays occupy part of the footpath and carriageway.
6. The proposal would introduce a vehicle crossover at the front of the property to allow for the paved area to be used as a parking space. Green Wrythe Lane is observed to be a busy classified road, subject to a 30 miles per hour speed limit. Bus routes operate along Green Wrythe Lane and there is a bus stop and highway markings directly opposite the appeal property.

7. The paved area is not of a sufficient size to allow vehicles to turn within the site. Vehicles would therefore either have to access or exit the site in reverse.
8. The busy nature of Green Wrythe Lane indicates to me that there would be an increase in the likelihood of conflict between pedestrians, cyclists and motorists from the use of the proposed vehicle crossover and it would result in an unacceptable impediment to the safe flow of traffic. Manoeuvring in and out of the off-street parking space would likely be close to parked vehicles at the kerbside given that there is marked parking bays along this part of Green Wrythe Lane. Reversing into or out of the site close to parked vehicles would be far from ideal given the restricted visibility of oncoming road users. In addition, it is likely pedestrians may cross the road close to the appeal site due to the location of the bus stop directly opposite which could increase safety risks in this location.
9. The appellant has drawn my attention to No. 182 and No. 176 Green Wrythe Lane possessing dropped kerb accesses to frontage parking, which I also noted on my site visit. I am unaware of the detailed circumstances of these arrangements and so I am unable to conclude that the Council has been inconsistent in its approach to considering proposals for vehicle crossovers in the local area. These properties are also likely to encounter similar issues in terms of safety and impeding the safe flow of traffic, and do not serve to demonstrate that further off-street parking would be acceptable. The proposal would only exacerbate the potential for vehicular conflict.
10. I am also mindful of a previous appeal decision¹ for a similar crossover that was proposed to be installed at the appeal property. That appeal was dismissed on highway safety grounds. The previous scheme was found to be contrary to the current development plan, and whilst I have considered this appeal on its own individual planning merits, there does not appear to have been a significant change in the material considerations.
11. I appreciate the appellant's argument that the creation of a vehicle crossover to allow off-street parking at the appeal property would reduce the number of vehicles parked on Green Wrythe Lane. At the time of my site visit there were cars parked in the marked bays outside the property and they did not appear to impede the flow of traffic or cause an undue hazard.
12. The appellant refers to a feasibility assessment undertaken by a council appointed engineer in October 2024 that confirmed the vehicle crossover was technically viable and no significant safety risks were noted. Whilst the crossover may well be technically feasible, I have not been provided with a copy of the technical assessment so have no details as to why the engineer concluded that there would be no significant safety risks. I therefore give this limited weight.
13. For the reasons above, the proposal would result in an unacceptable impact on highway safety. This would be contrary to Policy 36 of the Sutton Local Plan 2016-2031 (2018) which seeks, amongst other things, to ensure that development proposals be located so as to minimise any adverse impact on the highway network. It would also conflict with the National Planning Policy Framework (the 'Framework') which sets out that development should be refused on highways grounds if there would be an unacceptable impact on highway safety.

¹ APP/P5870/D/19/3242156

Other Matters

14. The appellant has outlined how the proposal would result in a more convenient and accessible alternative than on-street parking, particularly with regard to their children. I also note that the appellant's vehicle has also been damaged on a number of occasions when parked in a public bay. I am sympathetic to these personal circumstances; however, they do not outweigh the significant harm that I have identified in relation to highway safety.
15. I can understand the frustration the appellant feels regarding the advice received from the previous homeowner and the subsequent refusal of a joint vehicle crossover application with their neighbour at No. 180 Green Wrythe Lane. Whilst I sympathise, this consideration does not lend any positive weight to the proposed development.
16. I note the appellant's offer to optimise the placement of the vehicle crossover to ensure maximum visibility and minimise any adverse impacts, but the front of the appeal property is narrow, and options for moving the proposed vehicle crossover are very limited. Regardless, I do not consider moving the proposed crossover would overcome any of the highway safety issues identified.
17. I acknowledge that the appellant is willing to install warning signage or road markings to alert drivers. However, no details have been submitted for consideration and I do not consider that this would be a practical or appropriate approach to mitigating the highway safety risks identified. Furthermore, signage and markings within the highway are subject to separate legislation and consent regimes.

Conclusion and Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

A M Nilsson

INSPECTOR