



---

## Appeal Decision

Site visit made on 28 October 2025

by **E Everitt BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 November 2025

---

**Appeal Ref: APP/L5240/D/25/3373311**

**44 Limpsfield Road, South Croydon CR2 9EA**

- 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 Birungi and Miriam Mukasa and Sebuwufu against the decision of the Council of the London Borough of Croydon.
  - The application Ref is 25/01702/HSE.
  - The development proposed is drop down kerb and driveway.
- 

### Decision

1. The appeal is allowed and planning permission is granted for drop down kerb and driveway at 44 Limpsfield Road, South Croydon CR2 9EA in accordance with the terms of the application, Ref 25/01702/HSE, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with drawing nos 202406-HB07 Rev P01 Block Plan, 202406-HB01 Rev P01 Existing and Proposed Drive Way Layout Plan, 202406-HB03 Rev P01 Access for Driveway, 202406-HB02 Rev P01 Existing and Proposed Elevations and JG01 Rev A Swept Path Analysis.
  - 3) Prior to the first use of the development hereby permitted details of the height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the use is commenced and retained thereafter.
  - 4) The 1.5m by 1.5m visibility splays shown on plan no. 202406-HB03 Rev P01 shall be free of any obstruction exceeding 0.6m in height and shall be retained as such thereafter.

### Main Issue

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

### Reasons

3. The appeal property is located on Limpsfield Road, a classified road. A signalised crossing is located to the north of the proposed access adjacent to Gresham Primary School. Existing vehicle accesses serve a number of properties to the north and south of the appeal property on the northbound carriageway. This

includes at the southern end of the terrace of which the appeal property forms part. There are single yellow lines on the northbound carriageway. On-street parking bays are provided on the southbound carriageway, adjacent to the commercial parade east of Limpsfield Road.

4. The Council raises concerns that the appeal site does not provide sufficient space for a vehicle to manoeuvre within the site so that it can enter and exit in a forward gear. These concerns are raised with reference to guidance prepared by the Council relating to vehicle crossovers, however, the guidance is not before me. Moreover, I have not been provided with the status of the guidance.
5. I have been provided with evidence, in the form of a swept path analysis, that demonstrates that a car measuring 4.5m in length could turn on site so that it could enter and leave the site in a forward gear. The Council has set out that this should be based on a vehicle measuring 4.8m. Nevertheless, I have no evidence before me that requires that a swept path analysis should be based on cars of a particular length. As such, while I acknowledge that the space available on site is relatively limited, the submitted technical evidence demonstrates that there is sufficient space for a vehicle to manoeuvre on site and leave in a forward gear.
6. In addition, it is clear that visibility splays could be provided on site. This together with the position of the single yellow lines along Limpsfield Road and the road's straight alignment, would enable reasonable levels of visibility of oncoming traffic and pedestrians.
7. The Council has queried the width of the ramps either side of the proposed crossover. However, there is no evidence before me which demonstrates the requirement for a specific width in this respect. As there is no dispute in relation to the crossover width of 2.4 metres, I am not convinced that the width of the ramps, whatever their specific measurement, would result in a severe or detrimental impact on highway safety.
8. The Council also raises concerns that the driveway could be used to park 2 cars, and that this would compromise pedestrian visibility. However, from the plans before me and my observations on site, it is evident that the size of the site is relatively constrained, particularly when the proposed boundary fences are taken into account. As such, realistically, the driveway could only accommodate a single vehicle.
9. For these reasons, I conclude that the proposed development would not have a harmful effect on highway and pedestrian safety. As such, the appeal proposal accords with the relevant provisions of Policies DM29 and DM30 of the Croydon Local Plan (2018) and Policy T4 of the London Plan (2021). In summary, these policies seek, amongst other matters, development which does not have a detrimental impact on highway safety, does not result in a severe impact on the transport networks local to the site and does not increase road danger.

### **Other Matters**

10. The appeal property forms part of a group of locally listed properties, 42-48 Limpsfield Road. The properties are set back from the road and there is a cohesive appearance to the group with front gardens generally laid to lawn. This verdant, domestic setting contributes positively to the significance of the non-designated heritage assets. The wider Limpsfield Road also forms the setting of

the assets, from which they are best appreciated. The proposed development includes limited additional hardstanding and a driveway formed of grass. By reason of the nature, scale and position of the proposed development, in undertaking a balanced judgement, I consider that it would preserve the setting of the locally listed buildings and the contribution this makes to their significance. I note that the Council does not raise concerns about the impact of the appeal proposal on the group of locally listed buildings either.

11. I have been made aware of two previous applications for the formation of a vehicular access at the appeal site, one of which was approved but not implemented before permission lapsed. The other was refused on character and appearance and road safety grounds. Nevertheless, I have determined this appeal on the basis of its own individual circumstances and in the context of current development plan policies.
12. From the plans before me and my observations on site, it is evident that there are items of street furniture and a utility box which would need to be removed to enable the proposed development. This is a private matter that has not led me to an alternative conclusion on the main issue.

### **Conditions**

13. To meet legislative requirements, I have imposed a condition to address the period for commencement. A condition requiring compliance with the submitted plans is also necessary for reasons of certainty.
14. A condition requiring the submission of further details of boundary treatment is necessary, in the interests of the character and appearance of the area and to ensure an acceptable level of highway safety.
15. A condition preventing obstructions of over 0.6m in height is necessary in the interests of highway safety.
16. I have not imposed the appellant's suggested condition limiting the size of the vehicle to be parked on the appeal site as such a condition would not be enforceable.

### **Conclusion**

17. For the reasons given above, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed.

*E Everitt*

INSPECTOR