

Appeal Decision

Site visit made on 17 January 2017

by Richard S Jones BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2 February 2017

Appeal Ref: APP/C5690/D/16/3159762

54 Springbank Road, Hither Green, London SE13 6SN

- 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 Mr Geoff Newman against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/096319, dated 1 March 2016, was refused by notice dated 24 June 2016.
 - The development proposed is a driveway with dropped kerb.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. I note that the appellant has confirmed that the appeal site address is now No 54 Springbank Road, rather than No 48-48a Springbank Road as set out in the application forms. I have presented the banner heading above to reflect this change.

Main Issue

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

Reasons

4. The proposed driveway would be positioned between the dwellings at No 48 and No 54 Springbank Road, both of which are set back from the edge of the footpath. No 48 is mainly enclosed from the road by relatively low level timber fencing. No 54 is enclosed by a higher combined brick and timber fence enclosure which projects beyond the open forecourt frontages of the commercial properties immediately to the north. There is also a wooden fence between the two properties which the appellant says is approximately 1.7m high.
 5. To access the proposed driveway would entail vehicles having to either reverse out of or into the parking space and in doing so cross over the footway. For drivers reversing from the driveway, the height and positioning of the means of enclosure to the frontage of No 54 would largely screen any views of pedestrians approaching from the south. This issue would be exacerbated by the kink in the alignment of this part of Springbank Road, which further obscures pedestrians and approaching vehicles.
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6. The means of enclosure between Nos 48 and 54 would also obscure views of pedestrians approaching from the north. I accept that this position would be improved by reducing the height of the existing fence in this location to an appropriate height, however, my significant concerns for the potential conflict with pedestrians approaching from the south would remain.
7. For this reason I conclude that the proposal would result in material harm to pedestrian safety, contrary to Policy 14 of the Lewisham Local Development Framework Core Strategy Development Plan Document, which states that the access and safety of pedestrians and cyclists will be promoted and prioritised.

Other matters

8. I note the appellant's concern regarding the way in with the planning application was handled by the Council, however, this is not a matter for this appeal, which I have determined afresh and on its planning merits.

Conclusion

9. For these reasons, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Richard S Jones

Inspector