



Appeal Decision

Site Visit made on 27 October 2020

by Mr Martin Allen B.Sc (Hons), M.Sc, M.R.T.P.I

an Inspector appointed by the Secretary of State

Decision date: 24 November 2020

Appeal Ref: APP/C5690/D/20/3256434

246 Baring Road, Lewisham, London, SE12 0UL

- 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 Ms Dionne Grant against the decision of London Borough of Lewisham.
- The application Ref DC/20/116458, dated 15 April 2020, was refused by notice dated 10 June 2020.
- The development proposed is described as the construction of a vehicle crossover on Palace View for 246 Baring Road, SE12.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the appeal the appellant has submitted two sets of swept path drawings, showing differing sizes of vehicles. The Council has been given the opportunity to comment on this information and as such there is no prejudice in me considering these details when making my decision.

Main Issues

3. The main issues are (i) the effect on highway safety, and (ii) whether the scheme would result in any unacceptable loss of on-street parking.

Reasons

Highway safety

4. The crossover would be constructed along Palace View, a street leading off Baring Road and serving a number of dwellings as well as flatted residential development and garages serving nearby properties. I observed a significant number of vehicles within the vicinity of the appeal site as well as considerable parking provision, indicating that Palace View is a well-used and not lightly trafficked street.
5. The crossover would be located in proximity to the junction of the two roads, behind a pedestrian footway. The submitted swept path drawings show that vehicles would technically be able to utilise two parking spaces within the front garden, as well as enter and exit the site in a forward gear, when positioned acceptably, including within the road when entering the site. However, the details also show that there would be very little tolerance between the manoeuvring vehicles and the boundary fencing that encloses the site. Furthermore, the details show that vehicles entering the site would utilise the

full width of the proposed 4 metre (m) wide crossover. The Council highlight that should the crossover include transition kerbs, that these will be overrun by vehicles.

6. Given the limited tolerances and the likelihood of overrunning transition kerbs, I find it likely that drivers of vehicles entering the site would seek to position themselves further over within the road, towards and into the oncoming lane of traffic. While vehicles exiting along Palace View would have good visibility of this, should a vehicle or vehicles be waiting at the junction to exit the road, thereby blocking the path of the vehicle wishing to enter the appeal site, this would lead to vehicles waiting on the road in close proximity to the junction, or failing to completely turn off Baring Road. Given the proximity of the proposed crossover to the junction of the two roads, both the waiting of vehicles and incomplete manoeuvres off Baring Road, would present a risk to traffic on that road.
7. In addition to this, I am also conscious that the details show that a vehicle exiting the site from the northernmost parking space would be required to move into the highway, stop in a position across Palace View and then undertake a full-lock turning manoeuvre in order to be able to move off. This appears to be a rather convoluted arrangement, which would block the road. Even for a short time, in such proximity to the junction of two roads, I consider this would present a risk to highway safety. The involved nature of the manoeuvre also leads to concern that drivers would seek to exit the site without fully undertaking it and possibly occupy the nearest lane of traffic, leading to potential conflict with approaching vehicles. Furthermore, the path shown for this manoeuvre shows that the vehicle would travel over what appears to be a fence post, further indicating that the proposed access would necessitate the overly complicated movement of vehicles. This further reinforces my concern that drivers would seek to undertake movements that would be hazardous, given the proximity to a junction with a busy road.
8. Accordingly, I find that the scheme would have an unacceptable adverse impact on highway safety, in conflict with policy 14 of the Lewisham Local Development Framework – Core Strategy (2011) (the Core Strategy) and DM policy 29 of the Lewisham Local Development Framework – Development Management Local Plan (2014), insofar as they seek to ensure that a sustainable movement and transport network is maintained and that parking provision does not result in a detrimental impact on local roads. The proposal would also conflict with the guidance of the National Planning Policy Framework.

On-street parking

9. Double yellow lines front the appeal site to Baring Road and continue around the corner of the junction of, and onto, Palace View for a short distance. Beyond this, is an area of unrestricted on-street parking.
10. The appellant asserts that on-street parking provision will be reduced only by 800 millimetres (mm), a length too small to register on a parking beat survey. I am also conscious that it has been stated that five on-street parking spaces would remain available. In the absence of substantive evidence to the contrary, I find that the development would not result in an unacceptable loss of on-street parking and thus, in regard to this issue, the proposal would not conflict

with policy 14 of the Core Strategy, insofar as it seeks to ensure appropriate parking provision.

Other Matters

11. I note that the appellant engaged in pre-application discussions and that advice was provided. However, any such advice would be without prejudice and as such is not binding on the determination of any planning application.

Conclusion

12. Whilst there would be no unacceptable loss of on-street parking, for the reasons given above I do find that there would be an unacceptable effect on highway safety and as such, I conclude that the appeal should be dismissed.

Mr Martin Allen

INSPECTOR