



Appeal Decisions

Site visit made on 7 September 2021

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2021

Appeal A: Appeal Ref: APP/C5690/D/21/3273160
282 Brockley Road, Crofton Park, London SE4 2RA

- 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 James Reynolds against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/21/119843, dated 6 January 2021, was refused by notice dated 10 March 2021.
 - The development proposed is new dropped kerb and crossover to new parking space at front of property.
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Appeal B: Appeal Ref: APP/C5690/D/21/3273165
280 Brockley Road, Crofton Park, London SE4 2RA

- 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 & Mrs Aboagye against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/21/119847, dated 6 January 2021, was refused by notice dated 10 March 2021.
 - The development proposed is new dropped kerb and crossover to new parking space at front of property.
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Decision

Appeal A: Appeal Ref: APP/C5690/D/21/3273160

1. The appeal is dismissed.

Appeal B: Appeal Ref: APP/C5690/D/21/3273165

2. The appeal is dismissed.

Preliminary Matters

3. The appeal sites adjoin each other and raise similar issues. Although there are separate appellants, the appeals have been submitted by the same agent. It is therefore appropriate that both appeals are considered within the same decision document.
4. The description of the developments in the heading above has been taken from the planning application forms which differ from those on the Council's decision notices. In Part E of the appeal forms it is stated that the description of development has not changed and none of the main parties has provided

written confirmation that a revised description of development has been agreed. Accordingly, I have used the descriptions given on the original applications.

5. In respect of both appeals, I was asked to enter the sites to evaluate the proposals in context. However, I was able to view the sites from public land sufficiently to judge the proposals.

Main Issue

6. The main issue is the effect of the proposals on highway safety.

Reasons

7. The appeal sites are located adjacent to the through-road of Brockley Road. They are located opposite a parade of shops which has an extent of on-street parking, although there are double yellow lines along the highway adjacent to the sites. At the time of my visit, the highway was busy with motor vehicles as well as cyclists. There is also a bus stop as well as junctions with nearby streets located close to the sites. I saw that the pavements were well-used by pedestrians and I also observed pedestrians crossing the highway to traverse to and from the shops. The highway environment in the vicinity of the site is of a busy nature, with a number of potentially conflicting traffic and pedestrian movements.
8. Due to this busy and complex environment, the area is sensitive to awkward or convoluted traffic movements which would result from vehicle reversing manoeuvres generated by the proposals. Drivers and cyclists travelling along Brockley Road, and pedestrians crossing the highway, would need to pay full attention to the flow of traffic and would not be expecting vehicles to reverse in this location. The proposed vehicle accesses would also pass over the pavement, which may lead to conflicts with passing pedestrians as vehicles emerge from or enter the parking spaces. Within this context, the traffic movements generated by the proposals would significantly increase the risk of collisions between vehicles, pedestrians and cyclists.
9. Reference has been made to crossovers and parking provision to the front of nearby properties. However, there is no substantive evidence in respect of the circumstances that led to these accesses being created or whether they meet appropriate standards. Moreover, existing crossovers would not justify further proposals which would add additional sources of conflict contrary to the interests of highway safety.
10. The proposals would include visibility splays and my attention has been drawn to traffic calming controls in the vicinity. However, even allowing for those considerations, the reversing manoeuvres generated by the parking spaces would be detrimental to pedestrian, cyclist and vehicle safety due to the sensitivity of this location.
11. I am mindful that the proposals could be implemented independently of each other, and that one may come forward for development and the other may not. Although the proposals raise common issues, I have assessed each appeal on its individual merits.
12. I conclude that, due to the likelihood of reversing manoeuvres on a busy road at a sensitive location, the proposals would lead to significant harm to highway

safety. The proposals would therefore conflict with the safety and traffic management requirements of policy 14 of the Core Strategy 2011, as well as the National Planning Policy Framework with regards to an unacceptable impact on highway safety.

13. Reference has been made to policy T6 of the London Plan 2021, although this does not raise considerations of highway safety in respect of developments of the type proposed. Nevertheless, this does not lead me to a different conclusion in respect of the harm arising from the proposal.
14. For the reasons given above, I conclude that both Appeal A and Appeal B should be dismissed.

David Cross

INSPECTOR