

Appeal Decision

Site visit made on 14 September 2021

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2021.

Appeal Ref: APP/C5690/D/21/3274455
347 Brownhill Road, London, SE6 1AL

- 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 Paul Foster against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/119683, dated 19 December 2020, was refused by notice dated 10 March 2021.
 - The development proposed is the provision of a crossover to the front.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development proposed is taken from the Council's decision notice. The description of the proposed development is described on the application form as "We would like to drop the kerb outside of our house."

Main Issue

3. The main issue in this case is the effect of the proposed development on highway safety.

Reasons

4. The appeal property is a two storey mid-terrace dwelling located within in a mixed use area. The area is largely characterised by the presence of two storey terraced housing and retail units with flats above.
 5. The appeal property is located very close to a major traffic-light controlled junction, where Brownhill Road meets Hither Green Lane. Whilst the neighbouring dwellings to either side of the appeal property have dropped kerbs providing for short parking areas, dwellings closest to the traffic lights have front gardens only and I observed during my site visit that several dwellings on the opposite side of Brownhill Road to the appeal property have a large parking area and share a single point of access onto the road.
 6. During the time of my site visit, I noted that this junction was very busy with vehicular traffic and I also observed numerous pedestrians attempting to cross the junction close to the traffic signals.
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7. The proposed development would require a vehicle to reverse onto or from Brownhill Road. It would need to do this across a pavement close to a major road junction. It was clear to me during my site visit that Brownhill Road in this vicinity comprises a relatively busy pedestrian and vehicle thoroughfare as pedestrians seek to reach the area's amenities and road users seek to cross, or turn, at the junction.
8. Consequently, I find that a vehicle reversing over the pavement outside the appeal property, onto or off Brownhill Road, would create a significant hazard to road users, regardless of whether traffic is slowing for the junction or not.
9. I consider that the proposed development would add to the hazards arising from vehicles already making such manoeuvres to either side of the appeal property to the extent that the proposal would place road users at greater risk.
10. Taking all of the above into account, I find that the proposed development would be harmful to highway safety, contrary to the National Planning Policy Framework; to London Plan (2021) Policy T6.1; to Core Strategy¹ Policy 14; to Development Management Local Plan² Policy DM29, which amongst other things, requires development to take account of highway safety.

Conclusion

11. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

¹ Lewisham Local Development Framework Core Strategy Development Plan Document (2011).

² Lewisham Local Development Framework Development Management Local Plan (2014).
