
Appeal Decision

Site visit made on 24 January 2022

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 08 FEBRUARY 2022

Appeal Ref: APP/C5690/D/21/3283096
90 Baring Road, Lee, London SE12 0PT

- 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 S Atilan against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/21/120967, dated 4 May 2021, was refused by notice dated 30 June 2021.
 - The development proposed is a vehicle crossover.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the proposal on the safety of pedestrians and drivers on the adjacent highway.

Reasons

3. The appeal relates to this end of terrace, 2 storey property which is located on the south west side of Baring Road (A2212). The surrounding area is predominantly residential in nature and the appeal site sits within a short distance of the junction of Baring Road with Bramdean Crescent. The appeal property has vehicle access to its rear from Bramdean Crescent and has a large garage within its rear garden here.
4. Baring Road is a moderately busy road and a bus route. The footway appears to have been constructed so that cars can be parked clear of the carriageway and I saw numerous vehicles parked in this manner along Baring Road. Immediately outside the appeal site a pedestrian crossing point has been formed by providing tactile paving and a dropped kerb and a central refuge within the carriageway. The proposed vehicle crossing to the appeal site would be set immediately to the side of this. Policy 14 of the Council's Core Strategy states that the access and safety of pedestrians and cyclists will be promoted and prioritised.
5. The existing front garden would be hard surfaced to provide a single parking space with a path and some small areas of landscaping. The site is not large enough for a vehicle to turn within it and so use of the proposed parking space would mean reversing into or out of the appeal site. The presence of the central pedestrian refuge within the road would impose some restrictions on

cars entering and leaving the site, depending on their direction of approach or exit, and whether they reversed in or out. I consider that it would be likely to hinder car manoeuvring into/out of the site and make such a manoeuvre difficult and could involve a multi-staged manoeuvre. The presence of parked cars within the pavement area and the hedge on the adjacent property would hinder visibility and, in my judgement would make such manoeuvres unsafe for pedestrians and road users, including occupiers of the appeal site. The appellant has provided no swept-path or similar analysis which would contradict my view.

6. I have taken account of the other crossovers present along the road and the appeal decision relating to No 25 Baring Road (APP/C5690/D/19/3240267). I have not been provided with the circumstances of these other examples. In relation to No 25, the physical position of the crossover is obviously different and although there is a similar pedestrian crossing facility nearby, it is not so close as that one outside to the appeal site. Additionally, parking is not present on the pavement area at No 25 and so visibility may not be hindered in the same way as at the appeal site. Furthermore, I could see no possibility of parking within the rear of No 25 and the availability of such is not referred to in any of the submitted documents, whereas, as referred to above, the appeal site has vehicle access to the rear and a garage.

Conclusion

7. For the reasons stated above, the proposal would pose an unacceptable risk to pedestrians and drivers on the adjacent highway, in conflict with Policy 14 of the Core Strategy. I have found no matters which are capable of outweighing that conflict and so the appeal is dismissed.

T Wood

INSPECTOR