



---

## Appeal Decision

Site visit made on 14 December 2023

**by C J Leigh BSc(Hons) MPhil MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 February 2024**

---

**Appeal Ref: APP/C5690/D/23/3329002**  
**145 Marvels Lane, London, SE12 9PP**

- 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 Adrian Harrison against the decision of the Council of the London Borough of Lewisham.
  - The application Ref DC/23/131235, dated 21 April 2023, was refused by notice dated 14 June 2023.
  - The development proposed is a dropped kerb and vehicular crossover with area of hardstanding.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb and vehicular crossover with area of hardstanding at 145 Marvels Lane, London, SE12 9PP in accordance with the terms of the application ref DC/23/131235, dated 21 April 2023, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan V2, Existing Block Plan V2, Proposed Block Plan V2, Existing and Proposed Plans V2, Elevations and Sections V2, Visibility Splay Block Plan V2.

### Reasons

2. The main issue in this appeal is the effect of the proposed development on highway and pedestrian safety.
3. The proposal would see the formation of a vehicular crossover to allow for a parking area accommodating two vehicles, following the removal of a low wall, with a pathway to the front door of the house. I saw at my site visit many houses along Marvels Lane have crossovers and off-street parking. This includes the adjoining property of No. 143, which was granted permission by the Council in 2018 (ref. DC/18/107018).
4. Marvels Lane has a 20mph speed limit and I saw at my site visit there is good visibility along the road from the appeal site due to its location on the outside of a gentle bend. I have not been provided with any technical data relating to traffic flows, but I observed that traffic speeds appeared low at the time of my visit. I acknowledge at peak hours there may be high volumes of traffic, and

there may also at times be vehicles at higher speed. However, in my judgement the location of the site and visibility along the road mean that those entering or exiting the appeal site, which would be at low speeds, would have good awareness of other vehicles on the road. The low boundary wall to the property and its neighbour, and the good visibility along the road, also lead me to conclude that there would be good awareness of pedestrians.

5. To the east of the property is a junction that provides access to a school sports ground. I have not been provided with any data to demonstrate whether this junction is hazardous. From my observations at the site visit I am satisfied this junction is distant enough to ensure sufficient room so no conflict would occur between vehicles entering or exiting that access road, and those at the appeal property. The access road has a demarked area for pedestrian access on the eastern side, i.e. further away again from the appeal site, and this additionally ensures no conflict with those accessing the appeal property.
6. A bus stop lies to the east of the playing fields access drive, and I have not been provided with data relating to any particular hazards from this bus stop. I saw at my site visit there is sufficient space and visibility along the road and around any buses using that stop to allow for maneuvering of vehicles, and I witnessed this at my site visit -. In my judgement the distance from the bus stop to the appeal site would not lead to any hazardous conflict between traffic movements, or hazards to pedestrians using buses.
7. On the basis of what I have read and seen, it is my overall conclusion that the proposed development would not be harmful to highway or pedestrian safety. Thus, there would be no conflict with Policy 14 of the Lewisham Core Strategy 2011 and DM Policy 29 of the Lewisham Development Management Plan 2014 which, amongst other matters, seek to ensure the highway safety and the safety of pedestrians, and there would be no conflict with the National Planning Policy Framework that states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
8. The appeal is therefore allowed. I have attached the Councils suggested condition specifying the approved plans in the interest of precision.

*C J Leigh*

INSPECTOR