



Appeal Decision

Site visit made on 17 December 2025

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 January 2026

Appeal Ref: APP/C5690/W/25/3371431
523 Downham Way, Bromley BR1 5HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Marianne Gordon against the decision of the Council of the London Borough of Lewisham.
 - The application Ref is DC/25/140377.
 - The development proposed is vehicle crossover.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst I shall address the appellant's personal circumstances in my determination, I have amended the description of development in the banner heading above to remove the appellant's justification for the scheme, as that is not a form of development.
3. Though the application form does not suggest that the development has started, I was able to see during my site visit that it has.

Main Issues

4. The main issues are the effect of the proposed development on (1) highway safety, and (2) the character and appearance of the area.

Reasons

Highway safety

5. The appeal site is a terraced house in a residential area. It is separated from the road by a pavement wide enough to incorporate a continuous roadside parking bay (the roadside bay), which runs parallel to Downham Way (the road). Where it passes the site, the road includes a bus lane which cyclists have use of.
6. A two-bay parking area (the parking area) has been created in front of the appeal site dwelling, at an approximate right angle to the road. The Council contends that drivers using it are compelled to reverse either in or out. The appellant does not contest this, and I see no reason to doubt it.
7. At the time of my visit two vehicles were parked abreast on the parking area, both facing away from the road. This appears to have been achieved by driving over the pavement and the roadside bay. The front boundary enclosure at the appeal site has been removed save for three low posts.

8. The introduction of a dropped kerb, as proposed, would ensure a vehicular route at least 3.4m wide between the parking area and the road. Otherwise, the roadside bay would remain. As a result, drivers to and from the appeal site may have to pass between parked cars or vans. These present a potential hazard regarding intervisibility, either with pedestrians when driving into the parking area, or with vehicles on the road, including cyclists, when driving out of it.
9. Whilst 525 Downham Way has a low front fence, 521 has a tall, dense hedge, which would hinder intervisibility between drivers leaving the appeal site and pedestrians approaching from the west. Any stationary vehicle, left parked at the appeal site as another one leaves, may also hinder intervisibility in one direction or the other depending on the size of that vehicle.
10. The hedge aside, these potential hazards are not, in themselves, unusual ones for drivers to negotiate. In this instance however, the risks are exacerbated by the necessity not only to reverse, but to do so onto, or from, a reasonably busy road, across an effective cycle lane. In combination, the conditions around the site are such that, in the absence of detailed submissions demonstrating adequate visibility splays and appropriate swept path analysis, and even if manoeuvres were undertaken slowly and without unusual frequency, I cannot be confident that highway safety will be maintained.
11. There are several front garden parking bays along the road, including some near the appeal site. Whilst the Council informs me that permission has not been granted for those found at Numbers 491, 495, or 499, the appellant has directed my attention to five other sites where permission has been granted in the last five years.
12. I have very little from the Council to explain why parking schemes at Numbers 232, 382, 388, 391, and 503 were found acceptable, but the appeal proposal was not. From what I have seen of these other schemes, they generally involve at least some of the potential hazards found near the appeal site; Indeed, the scheme at Number 503 appears to be particularly similar to the appeal proposal, is very nearby, and was approved only recently.
13. At the same time, I have little evidence that any of those other schemes involve quite the same combination of all the potential hazards found near the appeal site. Furthermore, it is not evident that those other schemes were not supported by more detailed evidence regarding visibility and tracking than the appellant has supplied.
14. Whilst I recognise the appellant's frustration that apparently comparable development has been approved elsewhere on the same street, and whilst I cannot be certain the Council has acted wholly consistently in that respect, nor can I be certain that there is no distinction between those other schemes and the appeal proposal. Ultimately, therefore, I have made my determination on the merits of the appeal proposal as they are presented to me, and do not find the other schemes sufficient to alter my view.
15. Whilst I am informed that local accident records show none to have occurred in relation to manoeuvres to and from vehicle crossovers, little evidence has been provided in support. I do not know, for instance, the operative search dates, or that records are kept in such a way as to reliably include that level of detail. I therefore attach minimal weight to the point.

16. It is not evident that the proposed development would maintain highway safety. It therefore conflicts in that respect with Policies T2 and T4 of the London Plan (2021), and Policies TR3 and TR4 of the Lewisham Local Plan (2025).

Character and appearance

17. The front garden area of the appeal site slopes downhill away from the road, and the dwelling is on lower ground. The structure supporting the parking area has been built up, so that its surface is level with the road.
18. The Council contends part of the road around the appeal site, identified as from Nos 491 to 547, is defined by green front gardens and boundary treatments. During my visit I observed that whilst front boundary hedges are common on properties near the appeal site, there is some variation in this aspect of the street scene; No 525 has a low fence, as does No 515.
19. Nos 491, 495, 497, 499, 501, 503, and 505 have front garden parking areas and, in the main, no front boundary enclosures. I appreciate that the Council cites three of these (Nos 491, 495, and 499) to be unauthorised, but I have little reason to think the same is true of the others. Indeed, No 503 was recently approved.
20. Moreover, the road is broadly continuous and consistent in form and appearance, and I see no obvious reason, therefore, to place the appeal site solely in the context of Nos 491 to 547. I noted front garden parking areas at Nos 477, 489, 524, 528, and 538, and have been given little reason to question their lawfulness. In this context, the presence at the appeal site of a hardsurfaced parking area rather than a hedge is not out of keeping with the local area.
21. I accept that the raised bulk of the parking area structure, and the presence upon it of vehicles above the entrance level of the dwelling, make the development somewhat more conspicuous than many neighbouring examples. That, however, is not sufficient to make it appear unusual given how fundamentally similar it nevertheless is to so many parking areas nearby, and also given that a similarly raised area has been approved, and is under construction, at No 503.
22. The proposed development would not harm the character and appearance of the area, and I find no conflict in that respect with Policies D3 and D4 of the London Plan, or with Policies QD1, QD9 and TR4 of the Lewisham Local Plan.

Other Considerations

23. I recognise that the failure of this appeal could affect the living arrangements for the appellants family. I have had due regard to the Human Rights Act 1998 (HRA) and the Public Sector Equality Duty (PSED) under the Equality Act 2010.
24. From the evidence, my decision has the potential to affect someone with a protected characteristic for the purposes of the PSED; The appellant has provided evidence of the medical condition of a dependant of theirs, who is an occupier of the site, and who has a limited awareness of danger and needs close supervision. The appellant has explained that, because of this, they wish to park as far from the road as they can.
25. Article 8 of the HRA requires that decisions ensure respect for private and family life and the home. Where the Article 8 rights are those of children, they must be seen in the context of Article 3 of the of the United Nations Convention on the

Rights of the Child, which requires a child's best interests to be a primary consideration. These rights are engaged in reaching my decision and I have kept these interests at the forefront of my mind. However, they are qualified rights, and interference may be justified where in the public interest. The concept of proportionality is key.

26. I sympathise with the appellant. They tell me that the road is terribly busy, and I have no reason to doubt it. However, whilst this is the key factor in their desire for the parking area, it also tells me that the potential safety risks the proposed development may pose could affect a large number of pedestrians, motorists, and cyclists.
27. Overall, I do not see that approving an arrangement potentially unsafe for the many can be justified by the appellant's personal circumstances. Dismissal of the appeal is therefore necessary and proportionate.
28. I have given consideration as to whether any conditions could be imposed to mitigate the harm identified but the protection of public interest cannot be achieved by means that are less interfering of the human rights of the appellant.

Conclusion

29. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
30. The appeal is dismissed.

A Knight

INSPECTOR