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## Appeal Decision

Site visit made on 21 July 2020

**by L Gilbert BA (Hons), MA, MRTPI**

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

**Decision date: 21<sup>st</sup> October 2020**

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**Appeal Ref: APP/D5120/D/20/3250225**

**67 Station Road, Crayford, Dartford DA1 3QR**

- 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 Mrs Kerwood-Brooks against the decision of the Council of the London Borough of Bexley.
  - The application Ref 19/02937/FUL, dated 6 December 2019, was refused by notice dated 12 March 2020.
  - The development proposed is formation of crossover and vehicle hardstanding to frontage.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The effect of the appeal development on the character and appearance of the area, including its effect on a street tree.

### Reasons

3. The appeal site is located along a classified road and contains a semi-detached house, with a front garden. Station Road is characterised by a row of prominent mature street trees. A large Lime tree and a lamppost are located on the footpath directly outside of the front of 67 Station Road. Marked car parking spaces are located along the pavement on Station Road.
4. The Proposed Frontage Plan indicates that the crossover would encroach into the tree pit and the root protection area of the mature street tree in front of the appeal property. No arboricultural report has been provided. The construction of the proposed crossover would affect the root system on one side of the Lime tree and there is a risk this would damage the tree and lead to it becoming unstable or the tree would die. The Council's Trees & Nature Conservation Manager has objected to the proposal because they consider it would require the removal of the mature street tree, which I accept.
5. At the site visit, I found the Lime tree to be in good health and I have not been provided with any evidence contrary to this. Due to the size and condition of the Lime tree, it positively contributes to the appearance of the street both alone and as part of a row of mature Lime trees. Consequently, the loss of this street tree would adversely harm the character and appearance of the street.

6. Although not yet implemented, planning permission was recently granted for a crossover at the neighbouring property of 69 Station Road. It requires the removal of a small street tree. However, this approved crossover does differ to the appeal proposal as the street tree affected is considerably smaller and contributes significantly less to the character and appearance of the area. Furthermore, I have no evidence that the crossover at 69 Station Road would adversely harm any mature street trees.
7. Even if the depth of excavation for the proposed crossover is relatively minimal, the pavement by the tree pit is distorted and uneven which suggests some of the tree roots are located close to the surface. Therefore, it is highly likely that the tree roots would be affected by the proposal.
8. Whilst the proposal would allow the convenience and security of an on-site car parking space for the appellant without the loss of any marked car parking bays, and the materials could be conditioned to ensure they complement the surrounding area. Nevertheless, this would not overcome the harm I have already identified with respect to the potential damage and loss of the mature street tree.
9. Accordingly, I find the proposal would harm the character and appearance of the area as it could ultimately result in the potential loss of a mature street tree. This would fail to comply with Policies ENV35 and ENV39 of the Bexley Council Unitary Development Plan (2004) and Policies CS01, CS05 and CS17 of the Bexley Core Strategy (2012). These seek amongst other things, that the Council will seek the protection and long-term retention of trees of amenity, nature or landscape conservation value on development sites or elsewhere where they might be at risk.

### **Conclusion**

10. For the reasons given above, I therefore conclude that the appeal should be dismissed.

*L Gilbert*

INSPECTOR