



Appeal Decision

Site visit made on 13 September 2021

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021.

Appeal Ref: APP/D5120/D/21/3275395

7 Little Heath Road, Bexleyheath, DA7 5HB

- 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 Richard Lewis against the decision of the London Borough of Bexley Council.
 - The application Ref 20/00870/FUL, dated 15 April 2020, was refused by notice dated 13 May 2021.
 - The development is a vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for a vehicular access at 7 Little Heath Road, Bexleyheath, DA7 5HB in accordance with the terms of the application, Ref 20/00870/FUL, dated 15 April 2020, and the plans submitted with it.

Procedural Matters

2. I have had regards to the conditions suggested by the council, however, as the development has been carried out, the suggested conditions related to timing of implementation and materials used are not relevant in this instance.

Main Issue

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

Reasons

4. It was apparent from my site visit that the widening of an existing vehicular access had already been carried out at the appeal property, which is a semi-detached house located on a plot at the corner of Little Heath Road and Cranbrook Road. The front garden of the appeal property is hard paved and given over entirely to the parking of vehicles.
5. It is noted that the widening of the vehicular access at the appeal property was the subject of an earlier refusal of planning permission in 2019¹.
6. Bexley Unitary development Plan (2004) (the UDP) classifies Little Heath Road as a major access road within the road hierarchy and the double yellow lines at the junction of Cranbrook Road and Little Heath Road indicate prohibition of car

¹ Planning Ref: 18/03068/FUL

- parking at any time. This restriction covers the entire street frontage to the appeal property.
7. The widened vehicular access has been created through the removal of lengths of a short crenelated wall either side of the previous smaller vehicular access, allowing for vehicles to cross the footway more towards the apex of the corner of the junction of Cranbrook Street with Little Heath Road.
 8. Whilst the council have set out their position that the wider vehicular crossover is excessive at approximately 6.6 Metres wide, they have not set out how this brings pedestrians into conflict with vehicles entering and leaving the front garden parking area to any greater degree than with the previous narrower access.
 9. It seems to me that the appeal property's parking area is the same size as prior to the creation of the wider opening and, as previous, only a single vehicle can use the wider access to either enter or leave this area as before. As the area is also without other on street parking there is no greater issue with other stationary vehicles. As such, I do not find that the wider access represents a greater risk to pedestrian safety than the previous narrower access.
 10. As Little Heath Road is designated as a major access road in the local hierarchy, it therefore has the potential to be busy at certain times with both vehicles and pedestrians accessing to local dwellings and services. In this regard, the appellant has drawn my attention to the Manual for Streets (2007), the government's street design guide, which sets out that very few accidents occur involving vehicles turning into and out of driveways, even on heavily trafficked roads. The Council have provided no further reasoning for their decision in this regard.
 11. The appellant has also drawn my attention to other wide vehicular accesses associated with residential properties on Little Heath Road and adjacent streets, which from my site visit did appear to be quite a common feature in the local area. There was also evidence of some bollards having been installed by the highway authority to the back of the kerb edge in some locations with wider vehicular accesses, including on Cranbrook Road adjacent to the appeal site. It is not evident from my site visit, or the material submitted for the purposes of this appeal, what these are intending to achieve in terms of highway safety, if anything.
 12. Accordingly, I conclude that the wider vehicular access at the appeal property is not harmful to highway safety. It does not therefore conflict with Policy CS15 of the Bexley Core Strategy (2012), Guideline 5 of the Bexley Unitary Development Plan Design and Development Control Guidelines, Policies and Policy T2 of the London Plan (2021) and Section 9 of the National Planning Policy Framework, which collectively seek to ensure that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Conclusion

13. The appeal is allowed.

Victor Callister

INSPECTOR