



Appeal Decision

Site visit made on 20 March 2023

by Mark Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th March 2023

Appeal Ref: APP/D5120/D/23/3314438

21 Crayford Way, Crayford, Bexley, Dartford DA1 4JY

- 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 Matthews against the decision of the Council of the London Borough of Bexley.
 - The application Ref 22/02037/FUL, dated 8 August 2022, was refused by notice dated 25 October 2022.
 - The development proposed was originally described as 'I require a dropped kerb for a new driveway at the front of my property on Crayford Way. A member of Bexley council has already been to survey and agreed a dropped kerb can be installed once planning permission is granted as I live on a classified road'.
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Decision

1. The appeal is allowed and planning permission is granted for vehicular access at 21 Crayford Way, Crayford, Bexley, Dartford DA1 4JY in accordance with the terms of the application, Ref 22/02037/FUL, dated 8 August 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: TQRQM22234090825279; TQRQM22220150854602; TQRQM22220150429620; Unnumbered plans received by the local planning authority on 25 August 2022 and 31 August 2022.
 - 3) Notwithstanding the site's existing side boundary treatments, within 2.4 metres of the highway boundary of Crayford Way the site shall be maintained free of all obstacles between heights of 0.6 metres and 2.0 metres above the level of the driveway hereby permitted.

Preliminary Matter

2. The description of the development in the heading above is taken from the planning application form. However, for the purposes of the decision in paragraph 1 the description on the decision notice and appeal form has been used instead as it sets out the development more accurately and concisely.

Main Issue

3. The main issue is the effect of the proposed access arrangement on highway safety, with particular regard to pedestrian safety.

Reasons

4. The site relates to a dwelling with a modest front garden that has pedestrian access from Crayford Way. The garden features a low brick wall, brick piers and a wooden gate to its front, a low wall on one of its sides, and a low wall with fence panels on the other side. The back edge of the Crayford Way footway is at a higher land level than most of the garden. A public footpath runs alongside the site, which leads from Crayford Way towards the River Cray.
5. Crayford Way is a B-road and subject to a 30 miles per hour speed limit. It has a relatively straight alignment in the immediate vicinity of the site. When I visited, traffic along the carriageway was intermittent and a high proportion of vehicles were parked on-street.
6. The Highway Authority identifies Crayford Way as a Borough Distributor Road, whereas the Council's officer report identifies it as a London Distributor Road. Policy G18 of the Bexley Unitary Development Plan (UDP) explains that the latter are mostly A-roads. Additionally, Crayford Way is not included in a list of such roads in Appendix A of the Unitary Development Plan Design and Development Control Guidelines (DDCG). Based on the evidence before me, Crayford Way should be treated as a Borough Distributor Road. The DDCG describes such roads as routes which distribute traffic within residential and industrial areas and form links between London Distributor Roads and other residential roads. The DDCG also sets out criteria for accesses from Borough Distributor Roads, including size and sightline standards. It is also stated that the positions of accesses in relation to road features should not create hazards likely to lead to accidents.
7. The proposed driveway would be large enough for a typical family-sized vehicle to be parked. The submissions do not suggest that any level changes between the site and the footway would be problematic. Vehicles would enter and exit the site slowly due to the speed limit and the driveway's position. Intervisibility between drivers and pedestrians on the footway would be good due to the road's alignment and the removal of the gate and walls along the front boundary. Further, pedestrians approaching from the river path must initially turn right onto the footway due to a metal hoop adjacent to the site. Those pedestrians would therefore be able to see vehicles entering and exiting the site from a safe distance. Additionally, there is nothing compelling before me which indicates that intervisibility with other road users would be inadequate.
8. Moreover, there are many examples of off-street parking spaces that are like the proposed arrangement, such as opposite at No 24 and on the same side of the road at No 61. Both of those examples are also adjacent to public footpaths. Substantive evidence has not been put forward to distinguish any significant differences between the proposal and the nearby similar arrangements. In addition, no evidence has been advanced which indicates that there have been traffic incidents along the road that could be attributed to access arrangements comparable to the proposal. Furthermore, it has not been demonstrated that an additional access onto the road to serve one dwelling would result in unacceptable cumulative impacts with other driveways.
9. In the event the appeal is allowed, the Council recommends a planning condition to require that 2.4 metre by 2.4 metre visibility splays are provided within the site and retained free of obstruction in the interests of highway safety. For that purpose, an amended version of the condition would be needed

to ensure that there would be no obstructions within 2.4 metres of the site's front boundary at any point, notwithstanding the existing side boundary treatments which are not shown for alteration within the submissions.

10. For the reasons given, the proposal would not have an unacceptable impact on highway safety. My findings would endure even if Crayford Way were a London Distributor Road. The proposal accords with Policy CS15 of the Bexley Core Strategy, which explains that the Council seeks to effectively maintain and manage the existing highway network through promoting safety. Additionally, there is no conflict with UDP Policies G18 and T17. The former policy sets out that the Council will manage or improve the borough's network of roads according to their function in the road hierarchy, which is informed by the DDCG. The latter policy relates to the provision of appropriate off-street parking. The proposal also accords with paragraph 111 of the National Planning Policy Framework, which states that development should only be refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Conclusion

11. For the reasons given above the appeal should be allowed.
12. In addition to the abovementioned condition and the standard time limit one, a further condition is needed for clarity and certainty to require the development to be carried out in accordance with the submitted plans.

Mark Philpott

INSPECTOR