



Appeal Decision

Site visit made on 23 November 2023

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

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/D5120/D/23/3328468

24 Blackfen Road, Sidcup, Bexley DA15 8SN

- 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 T O'Flynn against the decision of The London Borough of Bexley Council.
 - The application Ref 23/00220/FUL, dated 28 January 2023, was refused by notice dated 5 June 2023.
 - The development proposed is the formation of a vehicle access onto a classified road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the description of development varies between documents submitted for the appeal, I have used the description of development from the Council's decision notice as this is a full and accurate description and has been used by the appellant for their appeal statement.

Main Issue

3. The main issue is the effect on highway safety.

Reasons

4. The appeal property is a semi-detached two storey house located on Blackfen Road opposite its junction with Boundary Road. The proposal is for a vehicular cross-over for almost the full width of the frontage of the appeal property's frontage. This would facilitate access and egress for a car that would be parked on the front garden of the appeal property, which is already fully paved.
5. Boundary Road is designated as a London Distributor Road and has a 30mph speed limit. My site visit was carried out in the middle of a working day, and it was evident that the street was busy with free flowing traffic at this time of day, which was outside of the morning and evening peak periods for vehicular activity.
6. There are significant numbers of crossovers for parking on the front of properties in this part of Blackfen Road, including to properties on either side of the appeal property. However, from my site visit, it was evident that these all had front areas that were large enough to allow for a car to enter in a forward direction, turn and exit in a forward direction. This includes 20 and 28 Blackfen

Road, which the appellant has brought to my attention, and show that crossovers of differing widths have been constructed at properties on the street over a considerable period.

7. The Council officer's report makes mention of a video provided by the appellant, which apparently indicated that it was possible for a car to access the front of the appeal property in a forward direction, turn and exit in a forward direction. Neither this video nor images from it have, however, been provided to me as part of this appeal. From the information that is available, it would appear that, whilst such an off street turn is possible with some manoeuvring, the car used was the appellants smaller family car. The appellant has, however, not submitted any vehicular tracking plans showing that such a manoeuvre would be possible for any size of car.
8. In accordance with the guidance given in the Government's Manual for Streets (2019) and the Council's Design and Development Control Guidelines, vehicle accesses onto London Distributor Roads are expected to have sufficient space within the front curtilage to enable a vehicle to satisfactorily turn around to exit and re-join the highway in a forward direction. I find that such a manoeuvre has not been satisfactorily demonstrated or evidenced as being possible on the space at the front of the appeal property.
9. Further, it would also not be reasonable or enforceable to attach a condition on an approval requiring the occupiers of the appeal property to only own or park smaller models of car on the property. Such a condition would not be in accordance with the tests for conditions set out in the Government's Planning Practice Guidance and Paragraph 56 of the National Planning Policy Framework (2023) (the Framework).
10. I have not been provided with any information on collisions between vehicles, or other more vulnerable road users, associated with vehicular manoeuvres related to off street parking areas or the junction with Boundary Road. From my site visit, it would appear that, due to the width and intensity of vehicular activity on Blackfen Road, its 30mph limit and the manoeuvring of vehicles, the proposal would not allow the time and space required for necessary visibility and the appropriate reactions required to adjust to the normal movements of other road users, when entering or exiting the front of the appeal property in a reverse direction.
11. For these reasons, I find that that the proposal would result in significant harm to the safety of road users. This would be contrary to Policies SP10 and DP24 of the Bexley Local Plan (2023), Policies T1 and T2 of the London Plan and Paragraph 111 of the Framework, which collectively seek to ensure safe and sustainable transport outcomes.

Conclusion

12. The appeal is dismissed.

Victor Callister

INSPECTOR