



Appeal Decision

Site visit made on 28 November 2023

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18.12.2023

Appeal Ref: APP/D5120/D/23/3324152

152 Maylands Drive, SIDCUP, DA14 4RL

- 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 Daria Blynova against the decision of London Borough of Bexley.
 - The application Ref 23/00062/FUL, dated 10 January 2023, was refused by notice dated 24 March 2023.
 - The development proposed is provision of a vehicular access to front of property.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The London Borough of Bexley Local Plan 2023 has been adopted subsequent to the Council's decision notice having been issued. The local planning authority has confirmed that Policies T16, H9 and ENV 39 of the Bexley Unitary Development Plan 2004 have been replaced by Policies DP23, SP5 and DP11 of the Bexley Local Plan 2023. Both parties have been given the opportunity to comment on the relevance of the new Plan policies.

Main Issues

3. The main issues raised in respect of this appeal are the effect of the proposed development on:
 - a) Highway safety; and
 - b) The character and appearance of the area.

Reasons

Highway safety

4. The proposal is to create an off-street parking area at the front of the dwelling and to construct a driveway across the grass verge between the highway and the parking area. The drive would traverse an existing footpath that runs along the frontage of the properties adjacent to the verge. The plan that supports the proposal does not illustrate that vehicles would be able to turn within the parking area. As such, a vehicle leaving the site would be required to reverse across the pedestrian footpath and the full length of the driveway or alternatively undertake this manoeuvre in reverse.

5. Maylands Drive is a cul-de-sac. As such this would limit traffic movements to those of the residents of Maylands Drive and visitors thereto. Being a no through road may also limit pedestrian movements in the area. Nonetheless, the verge is open space that provides an opportunity for public enjoyment. Given both the existing footpath and length of the driveway the vehicle movements would create a safety risk to those using the footpath and grass verge. As such, there would be an increased risk of accidents to pedestrians and increased danger to road users. This would be so even if the drive is only used by the residents of the property even when taking safety precautions.
6. The proposal would create two off-street parking spaces that could reduce reliance on on-street parking by residents in the area. However, this on-street parking offset would be minimal and would not provide a clear justification in favour of the proposed development.
7. For these reasons, I conclude that the proposed development would be harmful to highway safety. The proposal would, therefore conflict with Policy T4 London Plan 2021 and Policy DP24 Bexley Local Plan 2023. These policies seek, amongst other matters, development proposals not to increase road danger.

Character and appearance

8. The grass verge is a distinctive part of the street scene. It provides an attractive area of open green space that contributes to the pleasant appearance of the area. Introducing a driveway over this land would be out of character as there are no other drives that traverse the verge. It would also diminish the visual attractiveness of the verge by creating a hard surfaced driveway across it. Consequently, the driveway would be visually harmful to the appearance of this distinctive feature within the street scene.
9. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would, therefore conflict with Policies SP5 and DP11 of the Bexley Local Plan 2023. These policies seek, amongst other matters, development to achieve high quality design.

Other Matter

10. The creation of the driveway could facilitate electric charging for the cars. Whilst this would provide a benefit in reducing vehicle CO2 emissions, this does not overcome the harm that I have identified to the character and appearance of the area and my concerns in regard of highway safety.

Conclusion

11. Having regard to the above finding, the appeal should be dismissed.

Nicola Davies

INSPECTOR