



Appeal Decision

Site visit made on 25 October 2024

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2024

Appeal Ref: APP/D5120/D/24/3345469

37 Erith Road, Belvedere, Bexley DA17 6HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr A Altuntop against the decision of the London Borough of Bexley.
 - The application Ref is 24/00463/FUL.
 - The development proposed is formation of a vehicular access and formation of hard standing to the front of the property including alterations to existing front boundary wall.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of proposed development from the Council's decision notice as this clearly and succinctly describes the act of development.

Main Issues

3. The main issues raised by this appeal are the effect of the proposed development on: -
 - a) The character and appearance of the existing dwelling and surrounding area and whether it would preserve or enhance the character or appearance of the Erith Conservation Area (the CA); and
 - b) Highway safety.

Reasons

Character and appearance

4. The Erith CA Appraisal and Management Plan identifies that the former Technical Institute building forms a local landmark at the corner of Upper Holley Hill Road with the dwellings forming part of the composition of the setting of the CA. The Plan notes that all the buildings are complemented by open front garden areas which contribute to the special character of the area. This contributes to the architectural and historic value and characteristics of the locality and that this makes the area special and worthy of CA status. This provides this small CA distinctiveness to both the character and appearance of

the area and, as such, gives this area architectural significance. The appeal property falls within the CA and, therefore, forms part of its significance.

5. There are properties within the CA that host frontage parking areas accessed via dropped kerb crossovers. However, those are further along the street. The dwellings at the western part of the CA retain their front boundaries and vegetated front gardens. The properties have a distinctive architectural style with the front gardens providing a pleasing visual appearance to these properties. Removing a large part of the front wall, creating a hard surface within the garden area with parked vehicles upon it would be harmful to both the open character and verdant appearance of the properties and the locality and would harm the setting of the CA. The proposal would, therefore, undermine the purposes of the CA designation even if the existing path and some vegetation would be retained.
6. Given the size and scale of the proposal in the CA, I consider there would be less than substantial harm to the character or appearance of the CA. In accordance with paragraph 208 of the National Planning Policy Framework 2023 (the Framework), I must weigh the harm against the public benefits of the proposal. The proposal would provide parking within the property boundaries but this would be limited to providing a personal benefit for the appellant. There would be no clear benefit to the public that would sufficiently outweigh the harm identified. I conclude therefore that the proposed development would fail to accord with national policy.
7. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the existing dwelling and surrounding area and would not preserve or enhance the character or appearance of the Erith CA. The proposal would, therefore conflict with Policies SP5 and DP11 of the Bexley Local Plan 2023, Erith Road CA Appraisal and Management Plan 2008 and the provisions of the Framework. These policies and Management Plan seek, amongst other matters, to secure high-quality design and for the character or appearance of CAs to be preserved or enhanced.

Highway safety

8. Erith Road is a classified road and is designated a London Distributor Road within the Council's Road hierarchy. There is a marked parking bay along the road frontage.
9. The plan that supports the proposal does not illustrate that vehicles would be able to turn within the frontage parking area. Whilst it is suggested that there would be no street parking on Erith Road directly outside the property the details that support the proposal do not clearly indicate that this would be the case or that there would be any alterations to the marked bay.
10. Erith Road is a busy arterial road. The proposal would require vehicles to either reverse across the pedestrian footpath over the parking bay onto the highway or stop on the carriageway to undertake this manoeuvre in reverse. The low level of boundary frontages would allow for oncoming pedestrians to be seen when accessing and egressing the parking area. Notwithstanding this, parked vehicles within the marked bay would restrict visibility rendering reversing manoeuvres hazardous, particularly when leaving the site. As such, there would be an increased risk of accidents and an increased danger to road

users even with the 30mph speed limit that is in place and the nature of vehicle movements being slow and low in number.

11. I acknowledge that other properties along the street host frotage parking with crossovers onto Erith Road. It is unclear whether any of those existing crossovers have the benefit of planning permission. Nonetheless, I have found that the proposed circumstances relating to this proposal would give rise to highway safety concerns. Those other examples do not justify further such development where harm would result.
12. For these reasons, I conclude that the proposed development would be harmful to highway safety. The proposal would, therefore conflict with Policy DP24 of the Bexley Local Plan 2023 and its associated Design and Development Control Guideline 5. That policy and guideline seek, amongst other matters, to prevent development that would have a negative effect on highway safety and that require a turning area of approved standard to be provided within the property.

Conclusion

13. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR