
Appeal Decision

Site visit made on 8 July 2025 by J Kirkaldy BSc (Hons) PGDip MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2025

Appeal Ref: APP/D5120/D/25/3365772

33 Sherwood Park Avenue, Sidcup, DA15 9HN

- 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 Ms Theodora Kotsi against the decision of the Council of the London Borough of Bexley.
 - The application Ref is 24/02634/FUL.
 - The development proposed is the formation of a vehicular access to the front of the property.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons for the Recommendation

4. The appeal site is occupied by a mid-terraced, two storey dwelling with an open frontage set back from the road. The road is lined by trees (of varying maturity) situated on grass verges to the front of the properties. These grass verges are intersected by single and double width vehicular crossovers. Sherwood Park Avenue is a classified road where the majority of the properties have off street parking.
5. There is an established tree situated on the grass verge to the front of the appeal site. The tree and verge form an integral part of the tree lined street scene and contribute positively to the green and verdant qualities of the vicinity and the character and appearance of the local area.
6. The National Planning Policy Framework supports the retention of existing trees, due to the contribution they make to the character and quality of urban environments and to climate change mitigation. The construction of the crossover would result in development within the root protection area of the tree. I note that no Arboricultural Impact Assessment or Method Statement has been submitted in order to demonstrate that the long-term health and vitality of the tree would not be detrimentally affected through root disturbance, damage and/or the need for future

works to the tree. In the absence of such an assessment or any consideration of mitigation, the long-term protection of this tree cannot be guaranteed as secure. The loss of the tree would ultimately erode the verdant quality of the street scene and give rise to unacceptable harm to the character and appearance of the area.

7. For this reason, and in the absence of any evidence to the contrary, the proposal would have a harmful effect on the character and appearance of the surrounding area. Accordingly, it would be contrary to Policy G7 of the London Plan (2021) which seeks to retain existing trees of value and Policy GG1 of the London Plan, and Policies DP11 and SP8 of the Bexley Local Plan (2023) which seeks to protect or enhance the character of an area.

Other Matters

8. The appellant has drawn my attention to other vehicular crossovers in close proximity to trees further along Sherwood Park Avenue. Whilst I observed these at the time of the site visit, the full circumstances of these cases and whether any assessment or mitigation was undertaken when or if planning permission was sought is unclear. In any event, I have considered this appeal on its own merits and the site-specific circumstances.
9. The appellant has indicated that the neighbouring property is supportive of a shared crossover. However, the absence of an objection from the neighbouring occupiers neither weighs for nor against the appeal proposal and does not alter my findings on the acceptability of the proposal.
10. I note that whilst the application was not refused on grounds relating to highway safety, the Council, through the Officer report, raised concerns that the proposal would result in a convoluted access to the property. The Highway Crossover Officer also raised concern in their consultation response, that the proposal would not comply with the internal vehicle crossover procedure as the minimum 2.4 metres of 'dropped kerb' to be installed cannot be achieved within the curtilage of the property boundaries whilst the tree remains insitu. Nevertheless, as I am dismissing the appeal for other reasons it is not necessary for me to consider this matter further.

Conclusion and Recommendation

11. For the reasons given above and taking account of all other matters raised, the appeal should be dismissed.

J Kirkaldy

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR