

Appeal Decision

Site visit made on 19 June 2017

by Clive Tokley MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 June 2017

Appeal Ref: APP/G2245/D/17/3174624

143 Main Road, Sundridge, Sevenoaks, TN14 6EH.

- 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 Mrs Elaine Cunningham against the decision of Sevenoaks District Council.
 - The application Ref SE/17/00072/HOUSE dated 16 January 2017 was refused by notice dated 13 March 2017.
 - The development proposed is removal of existing wall and soil from front garden and construction of new driveway and retaining walls and hand rails.
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Decision

1. The appeal is dismissed.

Main Issue

2. The appeal property lies within the Kent Downs Area of Outstanding Natural Beauty (AONB). The proposal would change the appearance of the appeal site; however in the context of the other driveways in the area I have no reason to disagree with the Council's view that subject to appropriate detailing it would not unacceptably detract from the character or appearance of the area or the AONB.
3. The main issue is the effect of the proposal on highway safety.

Reasons

4. Main Road is part of the A25 that links Sevenoaks to Westerham. I have no detailed evidence of traffic movement on the road but my impression was that it is a busy route carrying the full range of traffic. Within the village the road is subject to a 30mph speed limit. No 143 forms part of a row of detached and semi-detached pairs of houses fronting the south side of Main Road. The houses are built at a higher level than the road and the difference in height gradually diminishes when moving from east to west. I saw that a number of the houses had off-street parking served by driveways between them. Towards the east these mostly provide access to parking areas at the rear. However to the west of No 143 as the difference in level reduces cars are parked on driveways between the houses.
 5. There are no parking restrictions on Main Road but at the time of my visit (at about midday on a working Monday) no vehicles were parked on the road. The
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photographs submitted by the appellant show a number of cars parked partly on the pavement in the vicinity of No 143 and these indicate that my experience of parking in the area may not have been typical.

6. To accommodate the difference in level between the front garden and the road it is proposed to excavate to create a parking space at pavement level. A retaining wall is proposed to the west boundary extending to the back edge of the pavement. The wall would be 1.35 m in height with a stone-capped pier on the front boundary to match that on the east boundary. The provision of steps up to the house results in the width of the parking area being limited to 4m.
7. In order to safeguard pedestrians the Council indicates that visibility splays of 2m by 2m should be provided on each side of a parking space with a clear view above 0.6m. The width of the parking area combined with the need for the retaining wall would prevent this provision from being made. The appellant draws attention to the width of the footway but this appears to encourage parking partly on the pavement which would force pedestrians to walk closer to the front boundaries of the houses.
8. A vehicle could not be turned around in the front garden and therefore it would be necessary either to enter or leave the parking area in reverse gear. Manoeuvres associated with reversing out onto the road or into the site would constitute a hazard to all highway users, including pedestrians. Such manoeuvres cannot be controlled and I consider it likely that vehicles would be driven directly into the site requiring a reversing manoeuvre out onto Main Road. This would further reduce the extent to which pedestrians could be seen. The danger to all road users would be increased by the presence of parked vehicles as indicated in the appellant's photographs and the addition of an off-road parking space here would not prevent on-street parking in the vicinity.
9. In these circumstances I consider that the provision of a substandard access would unacceptably add to the hazards to highway users, especially pedestrians, and that the proposal would conflict with Policy EN1 of the *Sevenoaks District Council Allocations and Development Management Plan* which indicates that development should ensure a satisfactory means of access.
10. The appellant indicates that the parking space associated with this dwelling was sold before her ownership. I have noted her concerns about damage to cars parked by the road and her comments about the dangers of getting out of her car when parked in the road. However each additional substandard access increases the hazards faced by all users of the highway. In determining this appeal I am very much aware of the existence of accesses to other dwellings, some of which also have limited visibility, but the presence of those accesses does not reduce the hazards that would arise from the current proposal.

Conclusion

11. Taking account of all matters I conclude that the proposal would unacceptably detract from highway safety and that the appeal should not succeed.

Clive Tokley

INSPECTOR