

Appeal Decision

Site visit made on 10 October 2017

by Mr C J Tivey BSc (Hons) BPI MRTPI

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

Decision date: 23 October 2017

Appeal Ref: APP/M2270/D/17/3179475

86 Kibbles Lane, Southborough, Royal Tunbridge Wells, TN4 0JG

- 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 Lauro Cruz against the decision of Tunbridge Wells Borough Council.
 - The application Ref 17/00543/FULL, dated 12 February 2017, was refused by notice dated 3 May 2017.
 - The development proposed is for the creation of a new driveway and vehicle crossing at the front of the property.
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Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is the effect of the appeal proposal on the character and appearance of the area.

Reasons

3. The proposal relates to an existing greensward that is currently complete and undeveloped; together with the greensward on the opposite side of the road, they provide an attractive gateway into Kibbles Lane. A hedge surrounds the front garden of the appeal dwelling which adds to the verdant character of the surrounding area.
4. The proposal would give rise to the loss of a section of the greensward, being approximately the same width as the front garden which currently serves the property. I note the appellant's suggestion that they could reduce the width of their proposal, however I have not been provided with any revised plans upon which I could make an assessment.
5. I acknowledge that there are other examples where vehicular crossovers have been constructed through existing and similarly grassed areas within the wider locality; and note the Council's concern with regard to a precedent being created if the proposal were to be allowed, however each case must be assessed on its own merits.
6. I fully appreciate that the appellant has worked hard to own their property and that they feel it is their right to improve it, to make life easier for themselves and their family, particularly due to on-street parking pressures at evening

time. I also sympathise with them in respect of damage that has been caused to their vehicle in the past. I accept that the provision of an on-site driveway could be more convenient and safer whilst young children are getting in and out of the car; however vehicle speeds were low at the time of my visit, on a street with good forward visibility. I therefore find that these factors, whilst not intending to belittle the importance of them to the appellant, do not outweigh the harm that the vehicular crossover, and consequent loss of greensward would cause upon the character and appearance of the area. I say this notwithstanding the fact that the Council did not refuse planning permission on highway safety grounds.

7. As I have found that the installation of a vehicular crossover across the greensward would have a detrimental impact upon the character and appearance of the area, the proposal is contrary to Policy EN1 of the Tunbridge Wells Borough Local Plan (2006) which requires proposals for development to, amongst other things, respect the context of the site and not result in the loss of spaces or other features important to the character of the built-up area or landscape.

Conclusion

8. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR