
Appeal Decision

Site visit made on 29 January 2018

by Nicola Davies BA DipTP MRTPI

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

Decision date: 22 February 2018

Appeal Ref: APP/G2245/W/17/3181966

7 Parkland Close, Sevenoaks TN13 1SL

- 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 Kentmere Homes (Sevenoaks) Ltd against the decision of Sevenoaks District Council.
 - The application Ref SE/16/03865/FUL, dated 15 December 2016, was refused by notice dated 17 February 2017.
 - The development proposed is the construction of a detached dwelling with integral garage and with new access from Tonbridge Road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has put forward an additional plan, reference 160803/1 Revision E. The plan shows a similar proposed parking and turning area as determined under planning ref SE/16/03865/FUL and plan reference 160803/1 Revision G, however this subsequent plan (Revision E) illustrates three parking spaces as opposed to two (Revision G). This information does not significantly change the proposal and, as such, the plan would not, in my view, prejudice the interests of third parties. For this reason I have had regard to this plan.

Main Issues

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

Reasons

Character and appearance of the area

4. Tonbridge Road is a main arterial route serving Sevenoaks. The appeal site is located at the edge of the built confines of Sevenoaks to the west side of Tonbridge Road. At this point Tonbridge Road has a heavily wooded character with the treed boundary of Knole Park running alongside to the east. To the west the residential properties are set back behind front and rear gardens and enclosed by vegetated boundaries, some of which include fences. An exception to this is the development to the north of the appeal site at Buckwell Place and

The White Hart Public House that have open frontages. Further north and south tree and shrub vegetation runs alongside both sides of the highway.

5. The appeal site relates to the lower part of the rear garden of the residential dwelling of No 7 Parkland Close and whose rear boundary abuts Tonbridge Road. At this point Tonbridge Road consists of a grass verge with public footpath and a row of fairly mature trees with high canopies that overhang the highway carriageway of Tonbridge Road. The rear of the appeal property's garden abuts this verge and is delineated by a closeboard fence and a row of tall Holly trees (an unmaintained Holly hedge) that runs alongside the outside of the fence along the verge. I saw that the grass verge is raised above the level of the adjacent carriageway and the rear garden of the appeal site.
6. The landscaped front and rear gardens and set backs of buildings from the highway, along with the vegetated treed landscape and grass verges, gives this part of Tonbridge Road a distinctive spacious wooded character. At the point of the appeal site, the trees on both sides of the highway form an important part of the character and appearance of the locality. This, along with the long undeveloped rear gardens and tree lined grass verge, contributes to the distinctive verdant appearance of the Tonbridge Road streetscene.
7. The proposal seeks the removal of the existing Holly trees and fence. I saw that these existing Holly trees screen the rear garden in views from Tonbridge Road. Their removal, to facilitate the dwelling within the rear garden, would mean that the site would be more visible in public views from Tonbridge Road. Although a new frontage hedge and boundary are proposed, both would be significantly lower than that of the existing Holly trees. Whilst the appellant's Arboricultural Impact Assessment (AIA) indicates the Holly trees to be of poor form and has identified them for removal, this would not, to my mind, justify their removal.
8. The proposed dwelling would be set back from Tonbridge Road, albeit it would be positioned in very close proximity to the rear boundary of the site and next to the verge. A new dwelling of approximately 7.5m in height would be clear and prominently visible above the proposed closeboard front boundary fence and replacement hedge planting. This, along with the creation of a new access, in the proposed location would have a substantially urbanising appearance. It would significantly change the character of the appeal site and its immediate environment along Tonbridge Road. I accept that there is existing built development further north and south along the western side of Tonbridge Road set behind front gardens and smaller grass verges. Nonetheless, the proposal would be a harmful visual intrusion by reason of creating further urbanising development within this undeveloped site. Furthermore, the removal of the existing Holly trees along the verge would diminish the wooded appearance of the area.
9. The appellant contends that the high closeboard fence and hedge that already exists along the rear bounding of the adjacent property at No 8 Parkland Close could be extended to run along the rear boundary of the appeal site. However, the proposed dwelling, as noted above, is of some considerable height. It would be visible above an extended fence of the same height. Additionally, it would take some time for a hedge to establish. Notwithstanding this, given the proximity of the proposed dwelling to the boundary, it is unlikely that future occupiers would wish to establish a tall hedge as this could negatively impact

upon their residential living environment. For these reasons, I do not consider the imposition of a boundary landscaping condition would adequately ameliorate the harm caused by the proposed development. In reaching this decision I have taken into account the difference in land levels between the appeal site and the verge along Tonbridge Road.

10. The appellant has submitted photographs referring me to examples of existing development and frontages in the locality. I saw that the buildings to the west of Tonbridge Road, south of Letter Box Lane, are visible above front hedges and along driveways. I also note that verge depths along this stretch of Tonbridge Road vary. I accept that the existing development to the north of the appeal site is of markedly different appearance due to its open frontages that visually exposes the buildings to views from Tonbridge Road. I again accept that the roof of the proposed dwelling would be lower than that of other dwellings along this part of Tonbridge Road. I also note that the proposed dwelling would be of traditional design and would be set behind fenced and hedged boundaries in a similar manner to that of other properties in the area. Nonetheless, I have found that the introduction of further urbanising development and the removal of the existing Holly trees along the boundary would be visually harmful to the character and appearance of the area. The appellant's assertions would not overcome or outweigh the harm that I have identified or justify the proposed development.
11. In addition to the above, I note that the Council's Highways Team has requested visibility splays at the proposed new access. The Council indicate that the tree identified on drawing number 160803/1 Revision E and within the appellant's AIA as T8 (semi-mature Oak) would likely necessitate removal to create an acceptable visibility splay. The appellant highlights that the canopy of this tree is high and the verge is mown. I also note that verge would require reduction in height between trees T8 and T9 (mature Ash as identified within the appellant's AIA) to create driveway access to the site. There is some disagreement between parties as to whether or not the excavation to create the drive would damage the roots of one or other of these trees.
12. I observed that both trees T8 and T9 are an important part of the row of trees along the verge that contribute to the distinctive character of this part of Tonbridge Road. I also saw that the trunk of tree T8 would compromise views of oncoming traffic from the south when exiting the site. Root damage to one or both of these trees could potentially impact upon the wellbeing of the trees which could impact their longevity. The loss/removal of even one of the trees within this row would diminish their contribution to the attractive wooded character of this location. This would be an additional harm to that identified above.
13. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposed development would be contrary to Policy EN1 of the Sevenoaks Allocations and Development Management Plan (SADMP) that requires, amongst other matters, development to respect the character of the site and surrounding area.

Highway safety and parking provision

14. Policy T2 of the SADMP states that parking provision should be in accordance with the current Kent County Council vehicle parking standards, although this policy also allows for specific local circumstances to be taken into account. The

appellant indicates that three parking spaces would be provided within the frontage of the site (Revision E). The Council advises that to accord with the standards two parking spaces plus 0.5 guest space would be required in addition to the garage. The parking layout proposed by Revision E would satisfy this requirement.

15. Notwithstanding the above, the size and layout of the turning space is extremely constrained. Whilst plan Revision E offers some tracking information relating to turning, this is limited. It appears to me that it would be difficult for vehicles to manoeuvre within the available turning spaces to achieve forward exit from the site when three vehicles would be parked within the frontage.
16. Tonbridge Road is a busy classified 'A' road leading to and from Sevenoaks. I observed that vehicles travel at speed along this stretch of Tonbridge Road. On the available evidence I am not persuaded that the parking arrangement would easily enable vehicles to leave the site in forward gear. It would, therefore, be likely that future occupiers would reverse from the site onto Tonbridge Road. Such vehicle movements would, in my opinion, jeopardise the highway safety of pedestrians, cyclists and vehicular traffic using Tonbridge Road and that of future occupiers of the proposed dwelling. I do not, therefore, consider an acceptable standard of highway safety would be achieved. Whilst the proposal would not add significantly to the traffic movements on the surrounding highway network, this does not obviate the need to ensure acceptable highway safety is achieved or justify the proposal.
17. For these reasons, I conclude that the proposed development would be harmful to highway safety, despite the parking provision according with the Council's parking standards. The proposed development would, therefore, be contrary to Policy T2 of the Sevenoaks Allocations and Development Management Plan that requires, amongst other matters, parking provision to take account of highway safety concerns.

Other Matters

18. I acknowledge that the proposed dwelling would provide a secure and quality living environment for future occupiers. I also note that the Council has not raised concern with regard to the impact of the proposal upon the living conditions of adjoining existing occupiers. The site is in a sustainable location with good access to Sevenoaks town centre, shops, employment, railway station and bus services. However, these matters do not overcome or outweigh the harm that I have identified above or justify the proposed development.

Conclusion

19. A number of nearby residents raise other concerns about the proposal but in view of my conclusions on the main issues there is no need for me to address these in the current decision.
20. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR