
Appeal Decision

Site visit made on 16 July 2019

by N Thomas MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th August 2019

Appeal Ref: APP/G2245/W/19/3228317

2 South Bank, Westerham TN16 1EN

- 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 & Mrs Cunningham against the decision of Sevenoaks District Council.
 - The application Ref 18/03255/FUL, dated 18 October 2018, was refused by notice dated 18 December 2018.
 - The development proposed is the conversion of existing dwelling/annex into 2 dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing dwelling/annex into 2 dwellings at 2 South Bank, Westerham TN16 1EN in accordance with the terms of the application, Ref 18/03255/FUL, dated 18 October 2018, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Drawing number PLN06 Ground floor plan proposed
 - Drawing number PLN06A Basement plan proposed
 - Drawing number PLN09 Location
 - Drawing number PLN09 Elevations proposed
 - Drawing number PLN10 Elevations proposed
 - Drawing number PLN10 Block plan
 - 3) Prior to the first occupation of the dwellings hereby approved, details for the provision of facilities for the safe charging of electric vehicles shall be submitted to and approved in writing by the local planning authority. The facilities shall be installed in accordance with the details so approved prior to the first occupation of any of the residential units and retained and maintained thereafter.

Main Issue

2. The main issue is the effect of the proposal on highway safety with regard to the adequacy of parking provision.

Reasons

3. The appeal site is a two storey detached house fronting a narrow private lane. It has a large parking area to the side, which also gives access to a garage to the rear of the dwelling, set within an area of raised garden above a retaining wall. It is located on the edge of the Westerham Conservation Area (WCA), and is separated from the main part of the WCA in the centre of Westerham. To the side of the site is an access drive to a number of houses to the rear, that separates this property from others on this side of South Bank.
4. The appeal proposal would result in the subdivision of the dwelling into two, with the existing parking area providing two parking spaces for each of the dwellings. Appendix 2 of the Sevenoaks District Council Allocations and Development Management Plan 2015 (ADMP) provides guidance on parking provision for residential development. For a suburban edge or village location 1.5 independently accessible parking spaces per two bedroom dwelling are required, and 2 independently accessible spaces are required per 4 bedroom dwelling. The two spaces serving unit 2, containing four bedrooms, would be independently accessible. The spaces serving the two bedroom unit 2A are shown to be the driveway and the garage. Although garages are often underused for parking, there would be ample room on the driveway for at least two cars to be parked, albeit in a tandem arrangement. The spaces for this dwelling would not therefore be independently accessible, but this reflects the existing parking arrangements at the site, where tandem parking could take place.
5. South Bank is narrow, unlit and has no public footway. It is a public right of way that forms part of the pedestrian route to Churchill Primary School. Excessive movement of vehicles to access and egress tandem spaces is likely to cause conflict with pedestrians and other highway users of South Bank, and for this reason a previous appeal¹ was dismissed. However, in that case the building was to be extended to the side, and the parking was to be extended to the rear, so that each dwelling would have two tandem parking spaces. This appeal differs as no change to the existing parking arrangement is proposed, and two of the parking spaces would be independently accessible. The proposal is therefore unlikely to lead to a significant increase in the amount of vehicle manoeuvring to access and egress the spaces, when compared with the existing situation.
6. While I accept that tandem parking arrangements may be underutilised, the arrangements are as existing and there is limited alternative off street parking in South Bank. I note the concern that the parking spaces for Unit 2 may not be accessible without driving onto the access for Unit 2A. However, there would be sufficient space within the site for vehicles to access each space and therefore this does not indicate that additional vehicular manoeuvres would result from the proposal.
7. I therefore conclude that the proposal would not be harmful to highway safety, with regard to the adequacy of parking provision. It follows that it would not conflict with Policy T2 of the ADMP and Appendix 2 of the ADMP, insofar as it seeks to ensure that new residential development provides parking in accordance with current Kent County Council vehicle parking standards.

¹ APP/G2245/W/17/3189925

Other Matters

8. The site is located in the Kent Downs Area of Outstanding Natural Beauty (AONB), where the Framework states that great weight should be given to conserving landscape and scenic beauty. In this instance, no external works are proposed and therefore the proposal would conserve the AONB.
9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that with respect to development affecting buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. As no external alterations to the building or the site are proposed, the character and appearance of the WCA would be preserved.

Conditions

10. The Council has suggested that conditions be imposed should the appeal be allowed. I have considered the suggested conditions in the light of the guidance contained in the Government's Planning Practice Guidance. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, as suggested by the Council. This is in the interests of certainty. A condition to require electric vehicle charging facilities is justified by Policies EN1 and T3 of the ADMP in the interests of mitigating and adapting to climate change.

Conclusion

11. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

N Thomas

INSPECTOR