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## Appeal Decision

Site visit made on 7 September 2020 by Mariam Noorgat BSc (Hons)

**Decision by Andrew Owen BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 September 2020**

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**Appeal Ref: APP/V2255/D/19/3244088**

**18 London Road, Faversham ME13 8RX**

- The appeal is made under section 78 of the Town Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Daniel Hinton against the decision of Swale Borough Council.
  - The application Ref 19/503857/FULL dated 2 August 2019 was refused by notice dated 2 October 2019.
  - The proposal is described as dropping of kerb outside the property 18 London Road.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Main Issues

3. The main issues are:
  - the effect of the proposed development on highway safety: and
  - the effect of the proposed development on the character and appearance of the Faversham Conservation Area.

### Reasons

#### *Highway Safety*

4. London Road is a very busy road with a 30mph speed limit at the section in front of the appeal site. The proposal would provide space for one parked car on the site without any room for turning. As such a car using the space would either need to reverse out onto the road or to stop on the road and reverse into the site. Although visibility would be satisfactory, either manoeuvre would be likely to cause disruption to the heavy flow of vehicles. The number of such manoeuvres would be limited, and would be conducted at slow speeds. Nonetheless, such reversing manoeuvres would be unsafe.
5. I recognise there are a number of other dropped kerbs and off-road parking spaces at other houses nearby, including the adjacent property at No 16. However this does not render the proposal any safer, and a lack of any

recorded accidents at these other properties also does not necessarily suggest such an arrangement is safe.

6. Whilst I sympathise with the appellant's predicament of having to walk from parking on nearby streets with young children, I consider the reversing movements that would be necessary as a result of this development would not be safe for them or their children.
7. The proposal may allow one car to be removed from on-street parking locally. However I have no evidence to suggest this is a particular problem which needs addressing through development such as that proposed.
8. For these reasons, I conclude the development would result in an unacceptable impact on highway safety. The proposed development would therefore conflict with Policy DM14 of the Swale Borough Local Plan, Bearing Fruits 2031, adopted July 2017, (Local Plan), which seeks to ensure developments achieve safe vehicular access. It would also conflict with Policy DM6 of the Local Plan which seeks to avoid the formation of new direct access onto the primary distributor route network, which includes the A2.

#### *Character and Appearance*

9. In line with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, considerable importance and weight must be given to the desirability of preserving or enhancing the character or appearance of the conservation area.
10. The appeal dwelling forms the right-hand half of a pair of traditionally styled two storey semi-detached houses which share a strong symmetry. This symmetry is extended to the front boundaries of the dwellings which consist of a low brick boundary wall with taller piers on either side. This style of boundary treatment is prevalent within the conservation area and although some front boundary walls close to the appeal site have been removed, the majority of the front boundary walls along this stretch of London Road are present and they comprise a unifying and positive characteristic of the conservation area here. Indeed, the Faversham Conservation Area Character Appraisal identifies that the similarity in the overall form and general appearance of this row of houses running west from The Mall is such that they read as a single cohesive group.
11. The proposal would require the removal of the majority of the front boundary wall together with the installation of the vehicle crossover. The removal of this important feature would unbalance the symmetry the property shares with No.20 to the detriment of the street scene and hence would harm the character and appearance of the conservation area.
12. For these reasons, I conclude the development would not preserve the character and appearance of the Conservation Area. The proposed development therefore would conflict with Policy DM14 of the Local Plan which seeks to ensure developments reflect the positive features of the locality. Also, although the boundary wall is not specifically referred to in the Faversham Conservation Area Character Appraisal, its loss would fail to accord with Local Plan Policy DM33 and the Council's Planning and Development Guidelines No.8, both of which require means of enclosure, which contribute to the interest of a conservation area, to be retained.

13. The harm to the conservation area would be less than substantial as it would be small in scale and only seen from a small part of the conservation area, and therefore I am required to consider if public benefits would outweigh that harm. Though the appellant has put forward indicative soft landscaping measures, and has clearly taken great care with works to the property as shown in their personal statement, these matters are of limited public benefit. Moreover, although the appellant intends to create provision for an electric car, which is supported by Policy DM6, there is no guarantee of fulfilment. As such, I do not consider these benefits outweigh the harm identified above.

### **Recommendation and Conclusion**

14. As such, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Mariam Noorgat*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*Andrew Owen*

INSPECTOR