



Appeal Decision

Site visit made on 4 October 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2022

Appeal Ref: APP/X2220/D/22/3296978

153 Buckland Avenue, Dover CT16 2NT

- 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 Theresa Tester against the decision of Dover District Council.
 - The application Ref 21/01829, dated 2 December 2021, was refused by notice dated 2 March 2022.
 - The development is for a proposed driveway.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are a) the effect of the proposed development on highway safety, having regard to pedestrian and vehicular visibility; and b) the effect of the proposal on the character and appearance of the surrounding area.

Reasons

Highway safety

3. The site consists of a 2-storey, terraced dwelling on the northeast side of Buckland Avenue in an area of residential character. The front boundary comprises a wall just over a metre in height that extends across most of the site frontage. Pedestrian access is provided through a gate at one end, with steps up to the front door.
 4. I observed that the A256 Buckland Avenue is a busy arterial road, as expected of a main route. Visibility is significantly restricted due to the on-street parking bays along most of this stretch of Buckland Avenue, which were at capacity during my site visit. Given the overall size of the available space, and based on all I have seen and read, I am satisfied that a vehicle could not manoeuvre within the proposed driveway, and as such would need to either reverse into or out of the area.
 5. The lack of turning facility on site would mean that reversing into the drive would lead to vehicles slowing, stopping and turning off the busy road in reverse gear. This would be detrimental to the free flow of traffic along the road, and cause inconvenience to other drivers and pedestrians. Reversing out of the space into the road would be hazardous to other highway users already driving along High Street, and pedestrians using the footway. Even if mirrors were installed to allow a view of the footpath in either direction, these would not provide perspective along the road.
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6. The Highway Authority has recommended that the application be refused. Based on the evidence before me and from what I saw on my site visit, I also have serious concerns about the location of the access, the lack of turning on site and the inadequate visibility. I consider highway safety would be unacceptably prejudiced as a result of the development.
7. I am aware that there are other driveways in the vicinity to allow off-street parking, and I am also mindful of the appellant's desire to install a charging point for an electric vehicle to reduce climate impacts. However, I have determined this appeal on its merits and overall, such matters do not outweigh the harm I have identified previously.
8. To conclude, the proposed development would significantly undermine highway safety contrary to Policy DM12 of the Dover District Core Strategy (February 2010) which seek to ensure satisfactory means of access onto a primary road. It would also be inconsistent with the advice in the National Planning Policy Framework (the Framework), which seeks to ensure development has an acceptable impact on highway safety.

Character and appearance

9. The appeal dwelling forms part of a long row of terraced properties where the front boundary walls have been retained. These provide a sense of enclosure between the public domain and private areas and reflect the historic layout Buckland Avenue.
10. In this context the loss of the front boundary wall that currently encloses the appeal site would be harmful to the street scene. It would disrupt a length of wall along this side of the highway by introducing a gap and a paved parking area that would appear incongruous in views along Buckland Avenue. The resultant parking area would appear as a harsh and intrusive feature in comparison to the existing arrangement.
11. The proposal would be detrimental to the character of the surrounding area. Consequently, the scheme would be inconsistent with the Framework, which states that good design is a key aspect of sustainable development.

Conclusion

12. Having regard to my reasoning and all matters raised, the appeal is dismissed.

C Hall

INSPECTOR