
Appeal Decision

Site visit made on 12 December 2022

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 13 January 2023

Appeal Ref: APP/H2265/D/22/3301791

240 Shipbourne Road, Tonbridge, Kent TN10 3ET

- 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 Bablu Singh against the decision of Tonbridge & Malling Borough Council.
 - The application Ref TM/21/02999/FL, dated 6 November 2021, was refused by notice dated 14 April 2022.
 - The development proposed is for a new dropped kerb.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the proposal on the free and safe movement of traffic and pedestrians on the adjacent highway.

Reasons

3. The appeal relates to this semi-detached house which is located adjacent to the junction of Shipbourne Road with Forest Grove. The surrounding area contains mainly residential properties. Shipbourne Road is a relatively busy classified road (A227) with a speed limit of 20mph at this point. There are double yellow lines on the highway outside the property and around the corner into part of Forest Grove, which restrict parking. There is also a bus stop opposite the appeal site and an access which serves numerous houses on the opposite side of Shipbourne Road.
4. The proposal is to provide for vehicular access to the front of the property from Shipborne Road. A single parking space is indicated within the front of the property as part of the proposal.
5. Within their response to consultation for the proposal, Kent County Council as highways authority raised objections to the proposal as the proposal would result in vehicles reversing into or out of the site and it appeared that it would be too close to the junction with Forest Grove ie, closer than 10m.
6. The proposal would involve cars or other vehicles entering and leaving the site from this classified road. There would be insufficient space within the site to turn a vehicle and so it would result in a car reversing from the site onto the road (or into the site). Taking account of the nature of the road and the

numbers of vehicles that I observed using it, I consider that this would represent a manoeuvre that would disrupt the flow of vehicles and could pose a danger to road users as a result of the need for a vehicle to reverse out into the road. In addition, the proximity of the proposed access to Forest Grove would mean that vehicles emerging from Forest Grove would have very little sight of a car reversing from the appeal site and so this would add to the risk to road users, including the appellant, here.

7. The appellant has drawn my attention to other accesses along the road here. The Council has responded that Nos 242 and 244 have no planning permission for accesses. There are others along the road for which I also have no indication whether planning permission exists or not. Whilst I have seen them and noted their presence, I remain concerned that the proposal before me, within this particular location, would have a disruptive effect on the free flow of traffic and would represent an unacceptable risk to highway safety. Therefore, the existence of other accesses does not persuade me that the proposal is acceptable. The appellant also states that he has to park in front of the neighbouring property at No 242, due to the double yellow lines, and this is an inconvenience to him and the neighbour. I noted that No 242 has a drive with parking off the street and also a garage. Whilst I can appreciate the appellant's desire to park within his property, I consider that this matter is outweighed by the matters that I have set out above.
8. As a result of my considerations, the proposal would be contrary to Policy SQ8 of the Council's Managing Development and the Environment DPD and there are no matters which outweigh that conflict. Therefore, the appeal is dismissed.

T Wood

INSPECTOR