



Appeal Decision

Site visit made on 6 November 2024

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2024

Appeal Ref: APP/H2265/D/22/3304443

1 Heron Place, Wouldham, ME1 3FG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Martin Pearce against the decision of Tonbridge and Malling Borough Council.
 - The application Ref is 22/00698/FL.
 - The development proposed is installation of an electronically operated sectional door to car port.
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Decision

1. The appeal is allowed and planning permission is granted for installation of an electronically operated sectional door to car port at 1 Heron Place, Wouldham, ME1 3FG in accordance with the terms of the application, Ref 22/00698/FL, and the plans submitted with it.

Main Issue

2. The effect of the proposal on highway and pedestrian safety in Heron Place.

Reasons

3. The Managing Development and the Environment DPD was adopted in 2010. Policy SQ8 establishes that development proposals should comply with the parking standards and will only be permitted where they would not significantly harm highway safety. The door across the front of the original car port has already been installed. According to the application form, work started in October 2021.
4. The Council expects that properties of this size and in this location should be allocated at least two vehicle parking spaces. In this respect it draws a distinction between open car ports and garages as it does not consider the latter to be a parking space. Indeed, the appellant's comments about the need to secure stored items indicates that this may be more of a priority for some residents than keeping a car under cover. However, the appellant's photographic evidence shows that there is sufficient width and depth at the front of the property to park two cars off of the road if required.
5. In any event, whilst on-street parking occurs in Heron Place, there is nothing to indicate that this happens regularly or at all times of the day. If vehicles do park on the footway opposite No 1, then there would remain scope to walk on the pavement on the other side of the cul-de-sac. Furthermore, given the limited number of houses, it is reasonable to assume that traffic levels are light. There is also no indication that on street parking blocks the movement of

vehicles. Therefore, the consequences of any roadside parking in association with No 1 would be insignificant and most unlikely to be hazardous.

6. The appeal decision at Kings Hill (Ref: APP/H2265/D/21/3286023) for a door to a car port dealt with similar issues. In both cases the appeal properties can accommodate off-street parking spaces in line with the Council's standards.
7. To conclude there is no unacceptable impact on highway safety and the effect on the road network is minimal. The expectations of Policy SQ8 are met.

Other Matters

8. An objection was raised to the breaking of a "planning agreement" for Peters Village. A condition was imposed on the reserved matters for Phase 1 of the development restricting the enclosure of the front elevations of car ports. However, adequate provision for vehicle parking can be made within the site. The implication for any covenant on the property is a civil matter.

Conclusion

9. The proposal accords with the development plan and there are no material considerations to the contrary. Therefore, for the reasons given above, the appeal should succeed.

David Smith

INSPECTOR

