



Appeal Decision

Site visit made on 6 May 2025

by **C Housden BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2nd July 2025

Appeal Ref: APP/G2245/W/24/3354406

50 St Johns Hill, Sevenoaks, Kent TN13 3NU

- 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 J Micallef against the decision of Sevenoaks District Council.
 - The application ref is 23/03429/FUL.
 - The development proposed is hardstanding to the principal elevation of dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On my visit I observed that the development had been completed. Nevertheless, I have determined the appeal on the basis of the plans that are before me.

Main Issue

3. The main issue is the effect of the proposed development on the safety of pedestrians.

Reasons

4. The appeal relates to a hard surfaced driveway situated to the front of 50 St Johns Hill (No 50). St Johns Hill is designated as part of the A225 which runs between Otford and Sevenoaks. There are no yellow lines along the stretch of the road where No 50 is located, and I observed on my visit a number of vehicles parked along the road. A pedestrian footpath runs outside of No 50 which vehicles need to cross in order to access the driveway.
5. I have not been provided with drawings showing the 2m x 2m pedestrian visibility splays either side of the access. However, it was apparent during my site visit that the required splays would encompass land outside the control of the appellant including parts of neighbouring front gardens. I have not been presented with evidence to suggest otherwise. It is therefore not within the appellants control to ensure that adequate pedestrian visibility splays are secured or that they are not obscured by factors outside of their control such as the vegetation in the neighbouring front gardens.
6. In the absence of adequate visibility splays, a driver manoeuvring in and out of the driveway would have poor visibility of pedestrians walking along the footway. This would be a dangerous situation that could lead to collisions and injuries.

7. Therefore, the appeal proposal would conflict with Policy SP 1 of the Local Development Framework Core Strategy (2011) and Policy EN1 of the Allocations and Development Management Plan (2015). These policies, amongst other criteria, seek to ensure that development is well designed and provides a satisfactory means of access for vehicles.

Other Matters

8. It has been brought to my attention that a number of nearby properties along St Johns Hill have driveways. However, I have found harm in this case on the basis of the specific circumstances present at the appeal site, which include specifically in this location the pedestrian visibility splays not being able to be secured. The existence of those other examples does not diminish or otherwise justify the harm which I have identified in relation to the appeal proposal.
9. The appellant has suggested that the development would reduce the on-street parking along St Johns Hill which would be beneficial in reducing bottle neck traffic during peak hours. However, given the small scale of the development, I afford this limited weight in favour of the development. This would be insufficient to outweigh the significant harm to pedestrian safety.

Conclusion

10. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

C Housden

INSPECTOR