



Appeal Decision

Site visit made on 17 May 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2022

Appeal Ref: APP/V2255/D/22/3291854

31 Forbes Road, Faversham ME13 8QG

- 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 Miss Nikola Dorban against the decision of Swale Borough Council.
 - The application Ref 21/504960/FULL, dated 6 September 2021, was refused by notice dated 15 November 2021.
 - The proposed development is the installation of a vehicular cross over.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development having regard to:
 - a) highway safety; and
 - b) the character of the surrounding area.

Reasons

Highway safety

3. The appeal property is a semi-detached house that fronts Forbes Road, a class 'A' road that runs to and from Faversham town centre where daytime on-street parking restrictions apply. The dwelling lies near the junctions with Athelstan Road and Aldred Road. The proposal is for the creation of a dropped kerb to enable occupants of the house to park in the front garden area.
 4. At the time of my site visit, whilst only a snap shot in time, Forbes Road appears to be a busy thoroughfare, as expected of a main route. 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 driveway, particularly if one vehicle is already parked there, and as such is likely to either reverse into or out of the area.
 5. The lack of turning facility on site would mean 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. Reversing out of the space into the road would be hazardous to other highway users already driving along or seeking to join Forbes Road from one of the side roads, and pedestrians using the footway or nearby pedestrian crossing.
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Appeal Decision APP/V2255/D/22/3291854

6. The appellant argues that the frequency of manoeuvres to and from the site would be minimal and at low speed, and accident records indicate that no incidents have occurred to and from existing crossovers and driveways in the area. However, when they do occur even a small number of movements at low speed would still have the potential to disrupt the free flow of traffic and cause inconvenience to other drivers and pedestrians. Therefore, even in the absence of any recorded incidents, to my mind the proposal would not be in the best interests of highway safety and efficiency in the area.
7. I am aware that there are other dropped kerbs in the vicinity. However, I have determined this appeal on its own merits and the presence of other examples of dropped kerbs does not persuade me that permission should be granted. I also acknowledge those other matters that have been advanced in support of the development, including the assertions that Forbes Road is neither a strategic or primary distributor route, there is satisfactory visibility in both directions at the site, and the scheme would result in improvements to the living standards of the owner and facilitate the provision of an electric charging point. However, none of these factors could justify the harm I have identified above.
8. I conclude that the scheme would result in harm to highway safety. It would be contrary to Policies DM6 and DM14 of the adopted Swale Borough Local Plan: Bearing Fruits 2031 (LP) which, amongst other things, seek safe vehicular access to avoid unacceptable impacts on highway safety.

Character and appearance

9. The proposal would require almost all of the existing front garden to be hard landscaped to create the parking area. Although the appellant has stated that the choice of materials and its combination with soft landscape measures can be the subject of submission of details conditions, I have not been provided with an indicative plan to illustrate this. Moreover, I am not convinced that there would be sufficient space on the frontage for meaningful planting areas to be provided.
10. The extent of hard landscaping would be significant alteration to the established character of the streetscene resulting in a harsh appearance that would be deleterious to the locale. Consequently, the proposal would fail to meet Policies CP4 and DM14 of the LP, which seek to secure new development of acceptable scale and appearance.

Conclusion

11. Having regard to all matters raised and based on my reasoning above, the appeal is dismissed.

C Hall

INSPECTOR