



Appeal Decision

Site visit made on 1 April 2025

by **C J Leigh BSc(Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 April 2025

Appeal Ref: APP/K2230/D/25/3360751

241 Wrotham Road, Gravesend, Kent, DA11 7LL

- 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 Jessica Robinson against the decision of Gravesham Borough Council.
 - The application Ref is 20240820.
 - The development proposed is described as 'box extension to rear elevation to enable loft conversion for additional sleeping accommodation; new part gable wall/roof extension to allow for roof box extension; new parking arrangements to front garden with drop kerb and crossover'.
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Preliminary matters

1. I consider the description of the development as contained on the Council's decision notice to be more accurate than that set out on the application form. I have therefore determined the appeal on that basis, namely the erection of a dormer extension in rear roof slope; hip to gable roof enlargement; 2 no. roof lights in front roof slope; conversion of roof space into habitable rooms; and formation of vehicle access and parking area in front garden.

Decision

2. The appeal is dismissed insofar as it relates to formation of vehicle access and parking area in front garden. The appeal is allowed insofar as it relates to the erection of a dormer extension in rear roof slope; hip to gable roof enlargement; 2 no. roof lights in front roof slope; conversion of roof space into habitable rooms, and planning permission is granted for the erection of a dormer extension in rear roof slope; hip to gable roof enlargement; 2 no. roof lights in front roof slope; conversion of roof space into habitable rooms at 241 Wrotham Road, Gravesend, Kent, DA11 7LL in accordance with the terms of the application, Ref 20240820 so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) Any window serving a bathroom or WC must be fitted with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) only at all times.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, door or other form of opening shall be formed in side elevation of the dormer that faces 239 Wrotham Road.
- 5) The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority (LPA) should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.
- 6) The development hereby permitted shall be carried out in accordance with the following approved plans: JMD-1207-B-010 Rev. P2, JMD-1207-B-020 Rev. P1, JMD-1207-B-100 Rev. P2, JMD-1207-B-110 Rev. P2, JMD-1207-B-120 Rev. P2, JMD-1207-B-130 Rev. P2.

Main issues

3. The main issues are the effect of the proposed development on, firstly, the character of the surrounding area and, secondly, on pedestrian and highway safety.

Reasons

Character of the area

4. The general thrust of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 (CS) is to ensure that development proposals conserve and enhance the local environment. The Council's Householder Extensions/Alterations Design Guide Supplementary Planning Document 2021 (SPD) similarly requires all alterations to be well-designed and sympathetic to their surroundings, and provides guidance relating to the design of off-street parking and hardstanding, with similar guidance contained in the Council's publication Front Driveway Design Guidance 2023.
5. The appeal property is a semi-detached house within a residential area, set well-back from the highway. There is a large front garden which is enclosed by a low-level brick wall. Whilst there are some driveways in the vicinity, these are the exception as the wider character is similarly of low walls with garden areas behind. The grounds of the adjoining St Mary's Church make a further notable contribution to this general uniformity of landscaped settings to buildings, and this makes a positive contribution to the character and appearance of the area.
6. The proposal would remove the existing boundary wall and the majority of the front garden would be hardstanding for the parking of vehicles. Whilst an area of lawn would be retained close to the house, the appearance of the property would notably change to a predominately open frontage through the removal of most of the wall, behind which would be the wide parking area that would contain parked vehicles. This appearance would be distinctly at odds with the uniformity of the area. This would be harmful to the character of the area. Hence, I conclude that the proposed removal of the front boundary wall and the provision of hardstanding would not be consistent with the policies referred to above.
7. The proposed development also includes alterations to the house, with the existing hipped roof changed to a gable end. Although this would result in a lack of balance

with the attached neighbour, I saw there is diversity in the form of housing in the area. Furthermore, with No. 241 being at the end of a row of housing, with the larger Church adjoining, any sense of imbalance would be a minor change within the pattern of building along the road. The provision of a dormer extension to the rear, and alterations to the roof with rooflights, would be further changes that do not impose upon the character of the house or the wider area. The alterations and extension to the house would therefore be consistent with the policies referred to above.

8. There are two clearly severable parts to the proposed development: i) the removal of the front boundary wall with the provision of hardstanding, and ii) the extensions and alterations to the dwelling itself. I conclude on the first main issue that the former proposals would be harmful to the character and appearance of the area and hence conflict with the development plan; I further conclude that the latter proposals would not be harmful to character and appearance and hence not conflict with the development plan.

Highway safety

9. The proposals include the provision of a new vehicular access at the front of the property and an area to park for two vehicles. The local highways authority, Kent Highways, raised no objection to the proposed development, subject to conditions. However, Gravesham Council, as local planning authority, refused permission on the grounds that safe access onto Wrotham Road would not be provided. I have also been referred to recent appeal decisions close to the current appeal site which have considered matters of access onto Wrotham Road and I must have regard to the findings in these cases.
10. Wrotham Road is a classified road (A227) and identified as a primary distributor road. The Council inform me there is a significant volume of traffic on the road and, although only a snapshot, I saw this at my site visit. There is a four-way signal junction to the north of the appeal site, two bus stops, and to the south a junction with Hillingdon Road. Vehicles park along Wrotham Road.
11. Vehicles using the proposed parking area would have to reverse into the site or off onto the road; although the appellant states that their London taxi has a small turning circle, the use of such a vehicle in perpetuity as the only user of the property cannot be guaranteed. The scheme would therefore result in vehicles reversing over the pavement and onto or off the busy classified road, where there are hazards along with parked vehicles restricting visibility.
12. Vehicles manoeuvring in and out of the appeal site would therefore lead to conditions that would be prejudicial to pedestrian and highway safety, and the free flow of traffic along the classified road due to the busy and constrained location. This view has been supported by appeal decisions in close proximity to the appeal site at 156 Wrotham Road (ref. APP/K2230/D/22/3305568) and at 170 Wrotham Road (ref. APP/K2230/D/19/3236225), where Inspectors have concluded that vehicles entering onto the highway, whether forwards or backwards, would be harmful to pedestrian and highway safety.
13. The appellant has drawn attention to examples of off-street parking in the area. The Council inform me these are historic examples which were either permitted prior to current planning policies, or are of a size that allow for the turning of vehicles, or do

not benefit from planning permission. The current appeal is determined on its own merits, and so these other examples do not support the provision of a new access to No. 241 that would be harmful to highway safety and I attach very little weight to those examples.

14. Support for the proposal has been given by the neighbouring St Mary's Church on the basis that there would be the removal of an area of on-street parking which would extend from the 'Keep Clear' marking outside the Church, and so allow for easier parking and drop-offs/pick-ups from the Church. Whilst this would be a benefit, I am not persuaded on the evidence presented to me that relying on a dropped kerb and access to No. 241 is the only way to achieve this. The Council state that improving the Church's requirement for improved parking and drop-off facilities should be pursued with the highways authority, and I concur this could be pursued to resolve any parking issues the Church experience. I therefore attach little weight to this matter.
15. There is an existing access to the rear of the appeal property, taken from Meadow Road, which leads to an area of garages. The appellant states this is via a narrow alley and that they are unwilling to use it due to lack of security. I saw this access at my site visit, which I saw was in use by other vehicles to nearby houses and where the width as shown on the submitted drawings show it can be accessed by a range of vehicles. Although the existing garage to No. 241 appears of substandard size, it has not been made clear why the replacement, alteration or improvement to this area would not provide off-street parking for the appellant. On the basis of what I have read and seen regarding this rear access it therefore seems the decision not to use the rear access is a personal choice and so I place little weight on this being a matter in support of the proposals.
16. The proposed parking area would enable the installation of an electrical charging point for vehicles. Although this aids the case for the parking area, this facility could occur if the rear parking area was used; since I am not persuaded as to why the rear parking area cannot be used, I consequently place little weight on this matter.
17. On the second main issue I therefore conclude there would be harm to highway safety. Saved Policy T5 of the Gravesham Local Plan First Review 1994 states that new accesses to classified roads will not normally be permitted, except where no danger would occur. Policy CS11 of the CS requires new development to mitigate their impact on the highway. The National Planning Policy Framework states planning permission should be refused if there is an unacceptable impact on highway safety. The proposal does not satisfy these requirements and so would be contrary to the development plan. The matters in favour of the proposal as outlined above do not outweigh this conflict.

Conclusion

18. There are two clearly severable parts in the proposed development. I conclude that the proposed extensions and alterations to the dwelling of No. 241 are acceptable and would not conflict with the policies of the development plan and the Framework. However, the removal of the front wall and the hardstanding would conflict. I have therefore issued a split decision to grant permission for the former works and dismiss the appeal for the latter.

19. In the event of the appeal being allowed the Council suggested a number of conditions. I have had regard to these in light of their relevance to this split decision, and the six tests for planning conditions contained at paragraph 57 of the Framework and paragraph 003 of the Planning Practice Guidance: Use of Conditions.
20. I have attached conditions requiring the obscure glazing of bathroom windows, and to remove permitted development rights that would allow the provision of further openings, in the interests of privacy and the living conditions of adjoining occupiers. Due to the site lying within a buffer zone of an historic landfill site I have attached a condition requiring a watching brief over contamination, in the interests of public health. I have attached a condition requiring matching materials for the extension and alterations, to ensure a satisfactory appearance to the development. Finally, I have attached a condition specifying the approved drawings as they illustrate the approved parts of the development, in the interests of precision.

C J Leigh

INSPECTOR