



Appeal Decision

Site visit made on 13 June 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st July 2024

Appeal Ref: APP/K2230/D/24/3342187

20 Spring Grove, Gravesend, Kent DA12 1LL

- 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 Herdev Kandola against the decision of Gravesend Borough Council.
 - The application reference is 20231280.
 - The proposed development is for the change of the front garden into a raised vehicle hardstanding area with dropped kerb and vehicular crossover.
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Decision

1. The appeal is allowed and planning permission is granted for the change of the front garden into a raised vehicle hardstanding area with dropped kerb and vehicular crossover at 20 Spring Grove, Gravesend, Kent DA12 1LL in accordance with the terms of the application reference 20231280, subject to the following conditions:

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: P2 - Proposed Site Plan, P3 - Existing and Proposed Elevations, P4 - Existing and Proposed Section AA, P5 - Visibility Splay Block Plan, P6 - Existing/Proposed Block Plans, P7 - Site Location Map.

3) No development shall commence until details/samples of the materials to be used in the construction of the external surface of the hardstanding hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details/samples and retained thereafter.

4) No development shall commence until there shall have been submitted to and approved in writing by the LPA a scheme of hard and soft landscaping.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

5) The vehicular access hereby permitted shall not be brought into use until a vehicular crossover (dropped kerb) has been constructed in accordance with the Highway Authority's specification and requirements and with the written approval of the Highway Authority having first been obtained. The vehicle crossover shall be commensurate with the width of the vehicular access as hereby permitted and thereafter maintained.

6) Before the access hereby permitted is first brought into use 2.0m by 2.0m pedestrian visibility splays shall be provided at the back edge of the footway on either side of the vehicular access and thereafter no boundary wall, fence or other means of enclosure or obstruction exceeding 600mm in height shall be erected or placed within the visibility splays.

7) No gates shall be installed across the vehicular access hereby permitted at any time.

Main Issues

2. The main issues are the effect of the proposal on:

- the character and appearance of the existing dwelling and the surrounding area;
- biodiversity; and
- highway safety.

Reasons

Character and appearance

3. The appeal site comprises a two-storey, end-terrace house sited on the corner plot of the junction between Spring Grove and Old Road East. The locality is broadly residential in nature with no prevailing architectural style; the neighbourhood is characterised by dwellings of various size, design and detailing.
4. The streetscene contains extensive swathes of hard landscaping in the form of roads, driveways and parking areas. Within this context, I do not consider that the new hardstanding would appear out of keeping. Although it would result in the loss of a grassed area and low level shrubs, I am satisfied that grasscrete paving or similar for the finished surface of the space would compensate for this loss, together with modest planting that could establish and mature on the other side of the access steps to the dwelling.
5. As such I conclude that the scheme would not result in harm to the character and appearance of the dwelling and the surrounding area. It would meet the provisions of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 (CS) that seeks to secure new development of acceptable scale and appearance. It would also be consistent with the National Planning Policy Framework (the Framework), which states that good design is a key aspect of sustainable development.

Biodiversity

6. The existing grass and low level shrubs would be unlikely to provide a valuable

habitat for wildlife and I have no robust evidence, for example from a qualified ecologist, that its removal would be harmful to biodiversity.

7. I find that a condition requiring new planting elsewhere within the appeal site would counterbalance any concerns in this respect. The proposal would be in accordance with policy CS12 of the CS that seeks opportunities to enhance and maintain habitats in the Borough. It would also be consistent with the Framework, which states that planning decisions should enhance the natural and local environment.

Highway safety

8. The Council has referred to a shortfall in visibility in both directions because the required splays cannot be achieved due to separate land ownership and inadequate sight lines. However, from my observations on my visit I saw that vehicles entering Spring Grove from Old Road East travel at slow speed having just negotiated the junction.
9. The meandering nature of road from the other direction, and various constraints such as parked cars and the narrow carriageway, appear to moderate vehicle speeds. Furthermore, I have not been provided with any accident data to support the issues raised or to suggest that there are public safety matters locally.
10. Consequently, I am satisfied that the proposed access would not have an adverse effect on highway safety. There would therefore be no conflict with CS policies CS11 and CS19, policy T5 of the Gravesham Local Plan First Review 2014 or the Framework.

Conditions

11. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, the approved plans are listed for certainty.
12. Conditions requiring the submission of materials and a landscaping scheme are imposed to ensure the satisfactory appearance of the development. A condition requiring crossover construction to the Highway Authority's specification and requirements is imposed in the interests of highway safety, together with the provision of pedestrian visibility splays and the restriction of gates.

Conclusion

13. In respect of all issues and my reasoning above, I allow the appeal.

C Hall

INSPECTOR