



Appeal Decision

Site visit made on 8 March 2011

by Alan Woolnough BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 March 2011

Appeal Ref: APP/K2230/D/11/2144419

12 Old Road West, Gravesend, Kent DA11 0LJ

- 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 Mr & Mrs Brown against the decision of Gravesham Borough Council.
 - The application ref no 20100774, dated 5 August 2010, was refused by notice dated 19 October 2010.
 - The description of development on the application form reads: 'The proposals comprise alterations to front garden to provide vehicle parking at No 12 Old Road West, Gravesend, Kent'.
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Formal Decision

1. I dismiss the appeal.

Procedural Matter

2. The application and appeal forms give the postcode of the appeal property as DA11 0LG. However, the correct code is that included in the above heading.

Main Issues

3. The main issues in determining this appeal are the effect of the proposed development on:
 - the character and appearance of the appeal property and the surrounding area; and
 - highway safety and the free flow of traffic.

Reasoning

4. The appeal property is a two storey semi-detached dwelling fronting a busy classified road and one of 14 similar houses extending along the north side of Old Road West between Elmfield Close and Windmill Street. The junction with the latter, a short distance to the east of No 12, is controlled by traffic lights. The proposed alterations include the excavation of the most of the existing front garden to create a parking space for a single vehicle, the construction of a retaining wall at the rear of that area and provision of an automatic parking turntable within it, and the creation of a dropped kerb vehicular access thereto.

Character and appearance

5. As with all the other properties along this stretch of road frontage, No 12 is positioned well above the level of the public footway and vehicular carriageway of Old Road West, with a retaining wall along the back edge of the pavement

from which the land in front of the house slopes gently upward. The wall is flanked by attractive brick pillars and broken by two pedestrian access points. A high frontage hedge extends above it. Vehicular accesses within this run of properties are few and, where they exist, much of the retaining wall and raised front garden area has been retained.

6. The relative continuity of this type of frontage treatment contributes significantly to a pleasing sense of enclosure and thus the attractiveness of the local townscape. This contrasts markedly with the southern side of the road, where dwellings are generally at carriageway level and accesses and harstandings to accommodate vehicle parking are more numerous. To accommodate the turntable it would be necessary to remove much of the retaining wall and land behind it and create a centrally positioned parking space, with a new retaining wall substantially higher than the existing set back some 5 metres into the site. This would open up the frontage to an unacceptable degree, creating a wide gap disruptive to the street scene.
7. The depth of excavation would be readily apparent when the space was not occupied by a vehicle, at which times the incongruous replacement retaining wall and difference in levels within the site would be clearly visible. A gravel surface and landscaping around the margins would not provide adequate mitigation. I conclude that the proposal would be harmful to the character and appearance of the appeal property and surrounding area. It is therefore contrary to saved Policy TC1 of the adopted Gravesham Local Plan First Review 2004 (LP).

Highway safety and the free flow of traffic

8. Professional advisors to the Council on highway matters have expressed conflicting views on this issue. Kent Highway Services (KHS), whilst not supportive of the principle of a turntable, raise no objection to the proposal subject to the achievement of a rearward projection of the parking area of 5 metres into the site. They do not consider off-street turning to be a necessity in this location and have approved a vehicular crossover.
9. However, Gravesham's own highways officer points to conflict with the Council's Supplementary Planning Guidance No 6, which requires that all accesses to Class A or B roads incorporate turning facilities so that vehicles can enter and leave in a forward direction. The turntable is not seen as a solution in this regard as its effectiveness would be dependent on workmanship and ongoing maintenance.
10. I agree that the turntable does not overcome concerns associated with vehicles reversing onto or off the highway as, all too easily, it could cease to function and, even if operational, may not always be used. Whilst the Appellants may have every intention of using the turntable whenever they leave the property by vehicle and adhering to a rigorous maintenance regime, it does not follow that successive owners would do the same. Such requirements could not be enforced effectively by means of conditions attached to a grant of planning permission.
11. As to whether turning facilities are actually required, notwithstanding the view taken by KHS I find no reason to depart from the conclusion reached by my colleague in determining an earlier appeal concerning the creation of parking facilities at this property and its immediate neighbour (ref no APP/K2230/A/09/2115782). My own observations accord with his assessment

that, whereas vehicles backing out of properties on the southern side of the road enter a flow of traffic from the east which is regularly slowed and paused by traffic lights in close proximity before reaching this part of Old Road West, those leaving the appeal property would enter a less regulated flow of traffic from the west, which is last controlled by traffic lights some 200 metres away.

12. I accept that this is slowed on occasion as the traffic lights to the east turn red. Nonetheless, the lights do not create gaps in this flow of traffic and drivers approaching from the west will, on average, be travelling faster than those coming from the opposite direction, such that there are fewer safe opportunities to join the stream of traffic. Moreover, although visibility at the proposed access point is good in both directions, this could be obscured by stationary vehicles at those times when on-street parking restrictions do not apply.
13. The road is clearly busy, even outside peak periods. Whilst reversing movements are already associated with some properties on the north side of Old Road West, these strike me as giving rise to potential danger in such a context that could only be exacerbated by the creation of further accesses on the northern side. I conclude that the proposal would be harmful to highway safety and disruptive to the free flow of traffic along Old Road West. It is therefore contrary to saved LP Policy T5.

Other Matters

14. I have considered all the other matters raised. I acknowledge that the current proposal involves less excavation than the previous scheme and that there is considerable pressure on kerbside parking facilities in the area, such that the Appellants and their family may sometimes have to walk some distance to reach their vehicle. However, neither these nor any other matters are of such significance as to outweigh the considerations that have led to my conclusions on the main issues.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

Alan Woolnough

INSPECTOR