
Appeal Decision

Site visit made on 31 October 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2024

Appeal Ref: APP/K2230/D/24/3349193

20 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 Vidal Rollings Bull against the decision of Gravesend Borough Council.
 - The application reference is 20240358.
 - The proposed development is the demolition of front wall, creation of vehicle access and driveway to front with installation of a dropped kerb and associated works to pathway.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of front wall, creation of a vehicle access and driveway to front with installation of a dropped kerb and associated works to pathway at 20 Old Road West, Gravesend DA11 0LJ in accordance with the terms of the application reference 20240358 and the plans submitted with it (drawing nos. 10, 11, 100A and 200), subject to the following condition:

1) Unless within 3 months of the date of this decision a landscaping scheme is submitted in writing to the local planning authority for approval, and unless the approved details are implemented within 3 months of the local planning authority's approval, the development shall be removed. The landscaping works shall be carried out in accordance with the approved details, and with the agreed implementation programme. The completed soft landscaping scheme shall be retained for the lifetime of the development. Any trees or shrubs which die, or are damaged, removed or seriously diseased shall be replaced by those of a similar size and species to those originally planted.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Preliminary Matter

2. At my site visit, I saw that the hardstanding is complete and the application has been submitted retrospectively. I have dealt with the appeal on this basis.

Main Issues

3. The main issues are the impact of the development on a) the character and appearance of the host dwelling and local area; b) highway safety; and c) biodiversity.
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Reasons

Character and appearance

4. The appeal property is a semi-detached residence that fronts Old Road West, a class 'B' road that runs in the direction of Northfleet town centre. The dwelling lies within a row of properties of analogous scale and design between the junctions with Elmfield Close and Windmill Street.
5. I observed that numerous other hardscaped frontages are evident in the vicinity, creating off-street parking spaces for the houses along both sides of Old Road West; the proposal introduces a similar arrangement with vehicular access and hardstanding to the front of the appeal site. It appears to be a well-designed and maintained scheme, constructed in materials that integrate with the surrounds. Therefore, whilst the loss of the previous low level brick wall, hedge and lawn are regrettable, the alteration to the frontage is not significant taking into account the local context.
6. In my view, the appeal scheme could be further enhanced subject to a landscaping condition to ensure provision of appropriate additional planting, which can be created in the beds shown on the block plan and adjacent to the bay window. The considerable variety in the appearance of frontages in the area ensures that the development would then assimilate without causing undue harm to the visual amenity of the locale.
7. I find that there would be no adverse impact on the character of the host dwelling and local area as a result. The proposal would meet Policy CS19 of the Gravesham Local Plan Core Strategy 2014 (CS) and the Householder Extensions/Alterations Design Guide Supplementary Planning Document 2021 (SPD), which seek to secure new development of acceptable scale and appearance. It would also be consistent with the National Planning Policy Framework which states that good design is a key aspect of sustainable development.

Highway safety

8. Manoeuvres across the public footpaths into and out of local accesses are a common feature along Old Road West, although these are approached with caution. The Council states that appropriate pedestrian visibility splays would not be achieved at the site entrance. I acknowledge that a vehicle emerging from the driveway, with the driver having restricted views of footpath users, is an obvious safety hazard.
9. However, that prospect would be little different to the current accesses to myriad properties in the surrounds. Given the sporadic nature and limited duration of manoeuvres, which would occur at low speed, and the relatively wide footway I consider that the safety of pedestrians would not be unduly compromised in this particular instance. Furthermore, there is no evidence that any incidents involving vehicles and pedestrians have been recently reported in the locale.
10. I therefore conclude that the scheme does not cause an adverse effect on highway safety and generally accords with Policies CS11 and CS19 of the CS, Policy T5 of the Local Plan First Review (1994) and the SPD.

Biodiversity

11. The removal of the hedge and an area of grass would be unlikely to provide a valuable habitat for wildlife and I have no robust evidence, for example from a qualified ecologist, that their loss is harmful to biodiversity.
12. I am satisfied that a condition requiring additional planting would resolve any concerns in this respect, to include the area adjacent to the front bay window. The proposal would meet 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.

Conditions

13. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. As the development has already been carried out, it is not necessary or possible to impose the standard time limit and plans conditions, although I have listed the application drawings in my decision so it is clear what was submitted.
14. The existing planting in the beds can be boosted and a condition requiring the submission of a more substantial landscaping scheme is necessary to ensure that the proposal integrates with the site and surrounding area and provides for biodiversity. Given the importance of the landscaping scheme in association with the supporting walls I consider it to be necessary for the lifetime of the development.

Conclusion

15. Having regard to all matters before me and the analysis above, the appeal succeeds.

C Hall

INSPECTOR