



Appeal Decision

Site visit made on 23 January 2024

by N Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th February 2024

Appeal Ref: APP/K2230/D/23/3329520

70 London Road, Northfleet, Gravesend DA11 9LF

- 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 Mrs Jelena Condac against the decision of Gravesham Borough Council.
 - The application Ref 20230337, dated 21 March 2023, was refused by notice dated 11 July 2023.
 - The development proposed is installation of a vehicular crossover.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Revised versions of the National Planning Policy Framework (the Framework) have been published since the planning application was determined by the Council. Both main parties have had the opportunity to comment on any relevant implications for the appeal. I have had regard to the latest version of the Framework in reaching my decision.

Main Issues

3. The main issues raised by this appeal are the effect of the proposed development on:
 - a) Highway safety;
 - b) Character and appearance of the street scene; and
 - c) Biodiversity.

Reasons

Highway safety

4. The proposal is to create an off-street parking area at the front of the dwelling and to construct a driveway access across the pedestrian footpath. There is a layby to the front of the site that provides on-street parking. The plan that supports the proposal does not illustrate that vehicles would be able to turn within the parking area. As such, a vehicle leaving the site would be required to reverse across the pedestrian footpath and the layby, which appears from my visit to be well used, or alternatively undertake this manoeuvre in reverse.

5. London Road is a 'B' classified highway. Vehicle Accesses on Classified Highways Planning Guidance Note 6 February 2009 advises that on site turning should be provided to enable vehicles to enter the highway in forward gear. However, I note that this guidance was only given limited weight by an Inspector in 2016 when considering a similar appeal at a neighbouring site (Appeal Ref: APP/K2230/D/16/3158920). Nonetheless, the Inspector had regard to the guidance when concluding that that proposal would have a material harmful effect on highway safety.
6. London Road is a busy arterial road. The proposal would require vehicles to either reverse onto the highway or stop on the carriageway to reverse into the driveway. Parked vehicles within the layby would restrict visibility rendering reversing manoeuvres even more hazardous, particularly when leaving the site. As such, there would be an increased risk of accidents to pedestrians and increased danger to road users. This would be so even if the proposal serves only a single dwelling with the vehicle movements associated with the driveway being low and relatively slow.
7. For these reasons, I conclude that the proposed development would be harmful to highway safety. The proposal would, therefore conflict with Policy T5 of the Gravesham Local Plan First Review November 1994 and the Vehicle Accesses on Classified Highways Planning Guidance Note 6 February 2009. This policy and guidance, amongst other matters, resists the formation of new accesses, except where no danger would arise, which is not the case here.

Character and appearance

8. There is continuity to the garden frontages along this stretch of London Road. Removing the front boundary and replacing the vegetated garden with a hard surface would be out of keeping with this existing street scene. As such, it would diminish the characteristics of the street scene and consequently the proposal would be visually harmful for this reason.
9. For this reason, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would, therefore conflict with Policy CS19 of the Gravesham Core Strategy 2014 and the provision of the Framework that seek, amongst other matters, development to be visually attractive.

Biodiversity

10. The site hosts a small garden laid as lawn. Its contribution to biodiversity would be relatively limited given its small size. For this reason, I conclude that the proposed development would not be materially harmful to biodiversity. The proposal would, therefore not substantially conflict with Policy CS12 of the Gravesham Core Strategy 2014 and the provision of the Framework that seek, amongst other matters, to protect green infrastructure.

Conclusion

11. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR