



Appeal Decision

Site visit made on 19 November 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2025

Appeal Ref: APP/K2230/D/25/3372749

75 Alexandra Road, Gravesend, Kent, DA12 2QG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Steven Ford against the decision of Gravesham Borough Council.
 - The application Ref is 20250338.
 - The application sought planning permission for the erection of a two storey, three bedroom detached dwelling with rooms in the roof space and an integral garage without complying with a condition attached to planning permission Ref GR/20080421, dated 4 July 2008.
 - The condition in dispute is No. 8 which states that: "The integral garage hereby permitted at the premises shall be used only for the parking of a private motor car or cars or for uses ordinarily incidental to the enjoyment of a private dwellinghouse and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 or not, shall be carried out on the site in such manner or in such a position as to preclude vehicular access into the garage."
 - The reason given for the condition is to: "insure the garage is not used for any other purpose than for the parking of a motor vehicle."
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on pedestrian and highway safety.

Reasons

3. Condition 8 of planning permission GR/20080421 prohibits the integral garage of the appeal property from being used in a way which prevents vehicular access to it. The reason given on the original decision notice for the condition is largely a restatement of what the condition seeks to achieve rather than any underlying reason for it.
4. The officer report from this original application notes that a previous application for the site was rejected, for amongst other reasons, a lack of parking provision. Again, it is not entirely clear from the report as to what the specific implications and underlying concerns were at that time.
5. Notwithstanding the lack of clarity as to the underlying reason for the condition, it is clear from the appeal submissions from both main parties, and my own site visit, that space for parking in the area is at something of a premium. As a result, some cars do park partially on the pavement, as to do otherwise would block the road.

This in turn does compromise the use of the pavements and thus pedestrian safety. The nature of the parking can, no doubt at times, also interrupt the free flow of traffic. Although I cannot be certain, the limited availability of on-street parking is therefore likely to have been the underlying reason for the initial condition, and no doubt the demand for parking has not eased in the interim.

6. The appellant suggests that this demand for parking means that the garage cannot be accessed. I do not doubt that at times access and egress from the garage may be difficult given the parking which takes place around the crossover. However, it was evident from my site visit (which was only a snapshot in time) that this is not always the case. I also noted on my site visit that whilst most dwellings in the street do not have their own on-site parking/driveway, some do and make use of it.
7. I have no reason to doubt that the garage is not currently used and so allowing the appeal would not necessarily change the current situation. However, planning permission runs with the land and I must have regard to the long-term situation and that not all future residents would necessarily adopt the current approach of not using the garage. They may choose to use the garage just as some neighbours continue to use their own on-site parking, despite the challenge this may sometimes present.
8. I have not been presented with a parking survey or any information or evidence from either party which clearly demonstrates the level of parking stress in the area. One less off-street parking space is unlikely to significantly change the overall nature and character of on-street parking in the area and thus the wider impact on pedestrians and the free-flow of traffic. Conversely, if the level of parking stress is so high and for example there was no on-street capacity, it is possible that one additional car could nonetheless have some safety implications for road users in and around the appeal site.
9. I am also mindful that whilst each case must be considered on its own merits, were I to allow this appeal without more substantive evidence from either party, it would make any future proposals for the loss of any other on-site parking space in the area that much harder to determine.
10. Policy CS 11 of the Gravesham Local Plan Core Strategy 2014 (LPCS) requires, amongst other things, that development proposals should mitigate their impact on the highway network as required. Furthermore, development should be provided in accordance with the adopted parking standards. Whilst the parking standards, establish a maximum number of spaces and so are not necessarily an impediment to the development, the absence of any clear evidence to show that the impact of the proposal could be appropriately mitigated does weigh against it.
11. Consequently, drawing all the above points together, I do not find there to be sufficient substantive evidence before me to conclude that there would be no harm to pedestrian safety or the free flow of traffic. As I have not found that the adverse effects of the proposal would be mitigated there would be conflict with this aspect of Policy CS11 of the LPCS.

Other Matters

12. The reconfiguration of the existing garage to a dining room would improve the enjoyment and use of the dwelling for the current occupants. However, as noted

above, planning permission runs with the land and I must have regard to the wider considerations and implications of the proposal.

Conclusion

13. The proposal would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Stewart Glassar

INSPECTOR