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SECRETARY'S DEPT.
GRAVESEND
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No. of Letter. 1718
File No. 1980/00008/REF

Messrs Basset & Boucher
125 High Street
STROOD
Kent

Your reference MJD/DT/DIPROSE
Our reference T/APP/5277/A/80/14995/G2
14 AUG 1981

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY R A DIPROSE
APPLICATION NO:- GR/80/316

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Gravesham Borough Council, to refuse planning permission for the erection of 6 detached bungalows with garages on land adjoining 'The George' public house, Haver Court Road, Singlowell, Gravesend, Kent. I held a local inquiry into the appeal on 23 June 1981.

2. From my inspection of the site and its surroundings and from the representations made at the inquiry I consider the principal issues in this case to be whether the proposed development would provide an unsatisfactory environment for new housing, whether it would have a seriously damaging effect on local amenities, and whether there are special circumstances which could outweigh normal planning considerations.

3. The appeal site occupies an area of about two-thirds of a hectare and is the westernmost portion of a narrow triangle of land lying between the A2 - Singlowell slip road to the south and Haver Court Road to the north. The western boundary adjoins a car park for The George public house. The site tapers from about 52 m at the western end to about 32 m at the eastern end. It is at present used for grazing horses. The slip road is immediately adjacent to the A2 (T) trunk road (Watling Street) linking London with Canterbury and Dover. The east bound carriageway of the A2 is between 13 and 15 m from the southern site boundary. To the south of the A2 is open countryside mainly in agricultural use forming part of the Metropolitan Green Belt, and to the north of Haver Court Road is the built-up area of Gravesend.

4. Your client proposes to build a small development of 6 bungalows behind a 3 m high landscaped mound along the southern boundary. The dwellings would be designed to be self protecting against the traffic noise from the A2. The Council have calculated that a sound level contour of 70 dB(A) on the L10 scale runs through the site, roughly parallel to the southern boundary and about 20 m away from it. Meter readings taken in the vicinity of the site tend to indicate that noise levels may be slightly higher than those calculated. In support of the application it is suggested on your client's behalf that the landscaping proposed would reduce noise levels within the site to between 63 and 69 dB(A) and that the form and construction proposed for the dwellings, including the provision of double glazing would result in a considerable reduction of noise levels within the dwellings. Furthermore it is suggested that the planting

used would serve as a filter for dust and fumes from the trunk road. It is contended that other housing recently constructed in the vicinity is also affected by the A2, but that in many cases no design measures have been adopted to reduce noise levels, and that notwithstanding the houses in this area are in demand.

5. In my view the size and location of the appeal site make it inherently unsuitable for residential development. On one side it adjoins a very busy trunk road, with recorded flows of 58,000 vehicles in a 16 hour period, and the other long frontage adjoins Haver Court Road which links a substantial part of the built-up area of Gravesend with the trunk road, and also serves a number of housing developments in the vicinity. This is also therefore a busy road, and flows of 2,568 vehicles in a 16 hour period were recorded in 1976. In addition to these 2 sources of noise and disturbance the third side of the site adjoins a large car park serving The George public house. I note that an application to develop a similar site to the west of The George was dismissed on appeal in 1971, the Inspector concluding that "because of its location, restricted depth and the road frontages on 2 sides, the site is unsuitable for residential development, particularly having regard to its proximity to the heavily trafficked trunk road, where nuisance and disturbance would be caused to the residents of the dwellings by sustained traffic noise, fumes and dust." I accept that in this case measures would be taken to reduce levels of noise within the site and within the dwellings themselves, but I consider that the noise levels within the site would still be unacceptably high. Having regard to the views expressed in Circular 10/73, I consider that there must be a presumption against residential development on the site.

6. It is contended on your client's behalf that there is a shortage of housing land in the borough, and the joint report of the Kent Planning Officers Group and the House Builders Federation on Residential Land Supply in Kent 1980 to 1984 is called in aid of this submission. I accept that the study has identified no land opportunities for the post 5 year period, and that the planning officers conclude that some additional fresh land releases may be necessary to accommodate the policy provision. Nevertheless, the Borough Council have identified a supply of land sufficient for 4½ years at current building rates, and has embarked upon a local plan to identify other sites. I have had regard to Paragraph 3 of Annex A to Circular 22/80 "in the absence of ... an identified 5 year supply there should be a presumption in favour of granting permission for housing except where there are clear planning objections which in the circumstances of the case outweigh the need to make the land available for housing." In my opinion the planning objections in this case clearly outweigh the need for housing.

7. I turn now to the matter of local amenities. The Council contend that the site is a rural area which has an amenity value as a "buffer zone" between the built-up area and the trunk road, and that a hard urban edge should be avoided. I do not support this view. In my opinion the trunk road forms a clear boundary to the built-up area of Gravesend, and although I consider it to be important for the road to be screened from the adjoining housing area I do not accept that this necessarily implies the retention of the appeal site in its present form. Neither do I accept the Council's submission that an additional vehicular access onto Haver Court Road would constitute an unacceptable traffic hazard.

8. I have taken account of all the other matters raised at the inquiry including the availability of services, a previous appeal decision relating to the use of the appeal site, speed and parking restrictions, the release of land in other rural

a.s in Gravesham Borough, the case of South Oxfordshire District Council v the Secretary of State for the Environment, Timothy Underwood and others (1980) QB 267 relating to the use of land for grazing, and the presence of a public footpath (FT16) on the appeal site. None of these, however, is of sufficient substance to outweigh the considerations which have led to my decision.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Gentlemen
Your obedient Servant

J D Grainger

J D GRAINGER MBE BA RIBA
Inspector

The nature of the proposed is insufficient to justify determination
of the scope of the effect of the development of peak
water level or order of routes."

The letter received of the appeal should be dismissed.

The Secretary of State does not dissent from the Inspector's conclusion, and
accepts his report. For these reasons he hereby dismisses your clients'
appeal.

Yours faithfully,
Your obedient servant

G. M. DAY
Approved by the Secretary of State
(to sign in the office)