



Appeal Decision

Site visit made on 12 February 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 March 2020

Appeal Ref: APP/K2230/D/19/3236225

170 Wrotham Road, Gravesend, Kent DA11 7LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr Paul Gower against the decision of Gravesend Borough Council.
 - The application Ref 20190376, dated 13 May 2019, was refused by notice dated 9 July 2019.
 - The development proposed is parking for two cars in the front garden with a dropped kerb onto the road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - i) highway safety; and
 - ii) the character and appearance of the surrounding area.

Reasons

Highway safety

3. The appeal site is located on a classified road, close to a large, signal-controlled highway junction. It is a mid-terrace dwelling, set back from the highway with a landscaped front garden. The site is located within a terrace whereby none of the houses have on-plot parking to the front. Accordingly, cars park on the street to the front of the properties.
4. Due to the nature of the appeal site, the proposed driveway would be limited in width. It would therefore not enable the turning of a vehicle on the site to ensure its entrance on to the highway in a forwards gear. Consequently, the proposal would be likely to give rise to cars reversing onto the highway. Due to the presence of parked cars on the street, visibility from the appeal site is significantly compromised and therefore, reversing onto the highway would constitute a significant danger to highway safety.
5. The appellant states that they would routinely reverse onto the hardstanding, and therefore enter the highway in a forwards gear. However, this is not a matter that can be guaranteed through the proposal. In addition, regardless of this position, due to the significant presence of parked cars on the highway and

the proximity to the large junction, in my view, a car emerging onto the highway, whether forwards or backwards, would demonstrably effect highway safety.

6. Through the assessment of the original application, I note that Kent Highways, as the local highway authority, raised no objection to the proposal. However, in contrast, this position was not shared by the Council's Highway Development Management Officer. Based on the evidence before me, although the guidance referred to is somewhat dated, the advice provided by the Council's in-house expert has more substance to it. Moreover, for the reasons identified above, I entirely agree with the advice provided. As a consequence, I attach limited weight to the advice provided by Kent Highways.
7. Further to the north of the appeal site, there are a number of examples of houses with on-plot car parking. However, where these exist, generally they are located to the front of semi-detached dwellings. Consequently, the driveways are wider, and the houses are also located further from the busy junction. Moreover, due to the consistent presence of driveways, cars are not able to park on the highway. Accordingly, visibility is significantly better than from the appeal site. These examples are therefore materially different to the appeal site and consequently, I attach very little weight to their presence.
8. I also note that some cars park partly on the pavement which has the effect of limiting the width available for pedestrians. Whilst this may have some effect on pedestrian safety, due to the scale of the proposal, the potential benefit of removing a small pocket of on-street parking would be limited. Accordingly, I attach very little weight to this matter.
9. For the reasons identified above, I conclude that the proposal would have a harmful effect on highway safety. It would therefore fail to accord with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) (CS) and Saved Policy T5 of the Gravesham Local Plan First Review (1994). Taken together, these policies seek to prevent new accesses to the highway network where danger would arise and also require new development to mitigate their impact on highway networks.

Character and appearance

10. The front garden of the appeal site is currently laid to lawn with a pathway leading to the front door. The garden is enclosed by a low-level brick wall and an area of landscaping occupies the north western corner of the garden, adjacent to the pavement. The neighbouring front gardens within the terrace exhibit variety in terms of their boundary enclosures and means of landscaping. However, a unifying trait is the absence of parked cars and the consistent appearance of low level boundary enclosures adjacent to the footpath. Cumulatively, these create a uniformity that makes a positive contribution to the character and appearance of the area.
11. The proposal would remove the existing boundary wall. In addition, the lawn would be replaced by open concrete blocks. Whilst the blocks would enable grass to grow through, the loss of the enclosure and the appearance of parked cars to the front of the house would be distinctly at odds with the pleasing uniformity identified above. As a consequence, I conclude that the proposal would be harmful to the character and appearance of the area. It would therefore fail to accord with Policy CS19 of the CS which requires, amongst

other things, development to integrate well with the surrounding area and conserve and enhance the character of the local built environment.

Conclusion

12. For the reasons identified above, the appeal should be dismissed.

Martin Chandler

INSPECTOR