



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: 10 March 2020

Appeal Ref: APP/K2230/D/19/3235315

**Rockley House, Wrotham Road, South Street, Meopham, Gravesend
DA13 0QN**

- 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 Greene against the decision of Gravesham Borough Council.
 - The application Ref 20190644, dated 18 June 2019, was refused by notice dated 5 August 2019.
 - The development proposed is alterations to existing driveway.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The address set out above is different to that provided on the original planning application form. It is also different to the address provided on the appeal form. However, since lodging the appeal, the appellant has confirmed that the above address is correct and that it is the address that should be used. In making this change, I am satisfied that the interests of the parties have not been compromised.

Main Issues

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

Reasons

Character and appearance

4. As identified by the Gravesham Landscape Character Assessment (CA), adopted by the Council in 2009, the appeal site is located within the Meopham Downs Character Area. The document states that amongst the key characteristics of the area are roads lined with hedgerows. In addition, the document advises that such hedgerows provide ecological corridors and that dense native hedgerows should be retained. Based on the evidence before me, I have no reason to afford considerable weight to this document.
5. The eastern boundary of the appeal site bounds the main highway. It consists of a well-established, dense and mature hedgerow that runs for a considerable

distance. It is therefore entirely reflective of the findings set out within the CA. A similar form of landscaping also encloses the opposite side of the road and together, due to their height, length and well-established nature, they form a strong sense of enclosure to the road in a manner that makes a demonstrably positive contribution to the character and appearance of the area.

6. The proposal would remove a section of the mature hedgerow to introduce a new vehicular access into the eastern boundary of the site. Accordingly, a prominent gap would be established in an otherwise long expanse of hedgerow. This would have the effect of reducing the important sense of enclosure that is provided by the existing hedge in a manner that would conflict with the findings of the CA. As a consequence, the proposal would significantly and demonstrably harm one of the key characteristics of the Meopham Downs Character Area. This would be to the detriment of the prevailing character and appearance of the area.
7. Other openings do exist in the surrounding hedgerows and therefore, they are a feature of the wider environment. I also note that the Parish Council have raised no objection to the proposal. However, as identified by the CA, hedgerows lining roads is a key characteristic of the Meopham Downs Character Area. This is a document to which I give considerable weight, and consequently, even if self-seeded, where they are present in a largely uninterrupted manner, they should be afforded protection so as to enhance the positive characteristics of the area. The appeal site is entirely consistent with this important feature. Therefore, despite the presence of other openings, these do not alter my findings in relation to the harm that would be caused by the proposal.
8. I therefore conclude that the proposal would harm the character and appearance of the surrounding area. Accordingly, it would fail to comply with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) as well as advice contained within the CA. Taken together, and amongst other things, these seek to conserve the overall landscape character and natural environment.

Highway safety

9. The proposal would require suitable visibility splays to be introduced to ensure that highway safety would not be compromised. As identified by the appellant, the land to provide such visibility splays is within their ownership. Consequently, I am satisfied that if a condition were to be used to provide the necessary splays, there is a reasonable prospect that they could be secured. In this respect, such a condition would not be unreasonable.
10. The provision of visibility splays would be likely to have a detrimental impact on the extent of hedgerow removal, a matter against which I have already identified significant concerns. However, that in itself is a separate and discreet issue and therefore, on this matter alone, I am satisfied that due to land ownership, a condition could be used to ensure suitable visibility.
11. Consequently, subject to the use of such a condition, I conclude that the proposal would not be harmful to highway safety. Accordingly, it would comply with Saved Policy T5 of the Gravesham Local Plan First Review (1994) which seeks to prevent the formation of new accesses where danger would arise.

Conclusion

12. I have found that the proposal would not harm highway safety subject to the use of a suitably worded planning condition. However, this does not alter or outweigh my findings in relation to the harm that would be caused to the character and appearance of the area. This is a matter of overriding concern and to which I attach considerable weight. Consequently, for the reasons identified above, the appeal should be dismissed.

Martin Chandler

INSPECTOR