The Planning Inspectorate

Appeal Decision

Site visit made on 5 October 2020

by M Seaton DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2020

Appeal Ref: APP/K2230/D/20/3252905
76 Truro Road, Gravesend, DA12 5RF

- 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 Michael Adekoya against the decision of Gravesham Borough Council.
- The application Ref 20200157, dated 13 February 2020, was refused by notice dated 19 March 2020.
- The development is for a vehicular access and hardstanding to the front of the property and alterations to the existing outer facing materials and landscaping.

Decision

1. The appeal is allowed and planning permission is granted for a vehicular access and hardstanding to the front of the property and alterations to the existing outer facing materials and landscaping at 76 Truro Road, Gravesend, DA12 5RF in accordance with the terms of the application Ref 20200157 dated 13 February 2020, and subject to the following conditions:

    1. The development hereby permitted shall be in accordance with the following approved plans: Drawing Nos. TR-76-A 001 REV. B & TR-76-A 002 REV. A.

    2. Within 6 months of the date of this decision, a vehicle crossover to the full width of the hardstanding must be completed, in accordance with technical specifications and requirements provided by Kent County Council Highways and Transportation.

Main Issues

2. The main issues are;

    - The effect of the development on the character and appearance of the area; and,

    - Whether the development adequately addresses matters of biodiversity.

Reasons

Character and appearance

3. The appeal site is occupied by a two-storey semi-detached dwelling set within a residential street. At the time of my visit the works to create the hardstanding the subject of this appeal had been undertaken and a car was observed to be parked on this area. The creation of a dropped kerb had not however occurred.

4. The street comprises a mix of semi-detached and terraced properties, set back by a relatively consistent distance from the pavement edge. I accept that the majority of dwellings in the street still possess front gardens, but there are sufficient examples of driveways and dropped kerbs within the street so that the appeal scheme would neither be regarded as uncharacteristic nor unexpected in such a suburban setting.

5. In addition to those properties where hardstanding for parking was already in place, I noted there to be other properties where there was a general absence of lawn as part of the front garden, including at the neighbouring property at No. 74. In this respect, whilst the development has resulted in the loss of an existing lawned area, I note that the appellant has made allowance within the design for the incorporation of some limited areas of planting in the form of two planting beds bordering the parking space. This would at least provide the opportunity for some soft landscaping and planting within the area to the front of the dwelling.

6. I note that the Council has drawn my attention to other front parking driveways within the street where permission was not required, but this is beside the point. These examples exist and at least in part contribute to the wider character and appearance of the street.

7. Whilst the loss of an area of lawned front garden is unfortunate I do not consider that in the context of the vicinity that the development results in an unacceptable impact on the character and appearance of the area. I therefore conclude that the development accords with Policy CS19 of the Gravesham Local Plan Core Strategy 2014 (the Core Strategy), which addresses development and design principles and requires development to conserve the character of the local built environment.

Biodiversity

8. In concluding an adverse impact on biodiversity, the Council has not provided any detail or explanation to quantify or specify the precise effect that the development has had in this regard, beyond purely recognising that there has been the loss of an area of domestic lawn as a consequence of the engineering operation. Furthermore, whilst I acknowledge the extent of the description of development, setting aside the elements of the proposal which require express consent, I have not been provided with any evidence to suggest that the replacement of domestic lawn in itself would constitute such an action in this particular location. Having also had regard to the appellant's proposal to incorporate some limited replacement planting beds, I am not therefore persuaded by the Council's stance in this matter.

9. In the absence of any further evidence to support the reason for refusal, I do not agree that it has been reasonably demonstrated that the development has resulted in an unacceptable impact on biodiversity. I have not therefore found there to be conflict with Policy CS12 of the Core Strategy Policy with regards to green infrastructure or with paragraph 170(d) of the National Planning Policy Framework which addresses the need for planning decisions to minimise impacts on and provide net gains for biodiversity.

Conditions

10. In addition to a standard condition regarding development being completed in accordance with the approved plans, I am satisfied that the provision of an appropriate vehicular cross-over to the full width of the hardstanding would be in the interest of highway safety. However, as a consequence of the hardstanding being clearly already in use, the condition is amended to reflect a reasonable timeframe from the date of this appeal decision within which the works would be required to be completed.

Conclusion

11. For the reasons set out and subject to the conditions as listed, the appeal should be allowed.

Martin Seaton

INSPECTOR