

Appeal Decision

Site Visit made on 29 September 2020 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 November 2020

Appeal Ref: APP/K2230/D/20/3247460

162 Livingstone Road, Gravesend DA12 5DY

- 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 P Shimpi against the decision of Gravesham Borough Council.
 - The application Ref 20190720, dated 17 July 2019, was refused by notice dated 22 November 2019.
 - The development proposed is the installation of a new dropped kerb to allow vehicular parking on driveway.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons for the Recommendation

4. The appeal site is occupied by a two-storey end of terrace dwelling located in a cul-de-sac off the primary section of Livingstone Road and within a residential setting. The property currently has a part gravel and part paved driveway to the front, with a footway and grass verge separating it from the road, and a garage and vehicular access to the rear. The proposal would provide a crossover from Livingstone Road onto the driveway at the front of the property including a dropped kerb.
5. The grass verges on either side of the road contribute positively to the character and appearance of the area by providing soft landscaping to separate the hard surfaces of the footway and road which dominate the streetscene. The proposed crossover would traverse this grass verge and although it is proposed to use materials through which grass could grow, it would not be likely to look similar to the remainder of the grass verge when seen at close range. Moreover, the vehicular access would still be visible by way of the dropped kerb. The loss of this undisturbed verge would further harden the appearance of the streetscene and result in harm to the appearance of the cul-de-sac,

where the grass verges are currently uninterrupted. The appellant has claimed that the verges are not well maintained. Nevertheless, they still provide some contribution to the streetscene and the lack of maintenance does not make the proposal acceptable.

6. Whilst providing access to the drive, the proposal would also allow parking on the verge, as seen in other parts of Livingstone Road, which would further harm the positive characteristics of this soft landscaped area. The addition of the dropped kerb would prevent on-street parking directly outside of the appeal site, so there would be no net increase in the availability of on-street parking for neighbouring residents.
7. There is currently vehicular access and a garage to the rear of the property. Although the appellant has stated that this is too small for car parking, I have no substantive evidence of this. Indeed, it is noted that other properties along the road have adapted their own corresponding spaces for car parking requirements to ensure that parking to the front of the property is not necessary.
8. Consequently, it is considered that the proposed development would have a harmful impact on the character and appearance of the surrounding area and would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014). This policy requires new development to be visually attractive whilst making a positive contribution to the streetscene, the quality of public realm and character of the area.

Other Matters

9. In reaching my decision I have had full regard to the personal circumstances that have led to the need for the development. However, whilst I am sympathetic to these circumstances, the permanent harm to the character and appearance of the area would be significant and would not be outweighed by these considerations. I also note the issues that the appellant has raised regarding the conduct of the Council during the application process. However, this does not alter my consideration of the planning merits.
10. The appellant has highlighted several other properties in the surrounding area which have driveways and crossovers. Although they are also on Livingstone Road, they are not located within the same cul-de-sac as the appeal property. Therefore, these examples do not influence the immediate context of the appeal site and hence, as none of the properties directly surrounding the site benefit from a crossover, a precedent does not exist.
11. The Council's Highway Development Management Officer did not object to the proposal. However as they would solely consider highway safety, which is not the main issue within this appeal, their comments do not support the proposal.

Conclusions and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR