



Appeal Decision

Site visit made on 9 December 2020

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021.

Appeal Ref: APP/K2230/D/20/3260832

Casa Lila, Old Watling Street, Gravesend, Kent, DA11 7NT

- 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 Jas Sanger against the decision of Gravesham Borough Council.
 - The application Ref 20200559, dated 9 June 2020, was refused by notice dated 10 August 2020.
 - The development proposed is for a detached garage to front of property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposal on the character and appearance of the host property and the street scene. The second main issue is the effect of the proposal on biodiversity.

Reasons

Character and appearance

3. This part of Old Watling Street is characterised by a diverse range of individually designed single and two storey dwellings occupying generous sized plots. The dwellings are set back from the street scene behind front gardens that are enclosed by a mixture of fences, walls and hedges. The highway itself is narrow and on the opposite side of the road is a tall mature rural hedgerow and old brick wall. This, together with the informal building lines and variety of building materials contributes to the informal semi-rural character and appearance of the street scene as a whole. A very short distance to the west the development is more intensive with dwellings projecting close to the highway, immediately behind front hard-standings.
4. The appeal property comprises a modern brick built chalet style house with a spacious and visually open front garden that is largely hard surfaced with block paving. There is a small area of lawn in the southeast corner of the garden, which together with the hedge along the Western boundary of the site are the only soft landscape features in the front garden. The front gardens of the immediately adjacent dwellings similarly include large expanses of hard surfacing with little or no areas of lawn. These large expanses of hard surfacing have had an urbanising impact on the immediate street scene.

5. Policy CS19 of the Gravesham Local Plan Core Strategy (2014) (CS), requires new development to be attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built environment and integrate well with the surrounding local area. Proposals should include appropriate hard and soft landscaping and protect and where possible enhance biodiversity. Section 12 of the National Planning Policy Framework (the Framework), similarly requires new development to be sympathetic to local character and to add to the overall quality of the area.
6. The proposed garage would be sited close to the front and Eastern boundary walls of the property and would occupy the small area of existing lawn. The proposed double garage would have timber clad walls with Oak posts, under a fully hipped plain tiled roof. It would sit at right angles to the road and its side elevation would be 5.3 metres long.
7. The proposed garage would help break up the views of the large expanse of block paving to the front of the dwelling. However, together with the boundary walls it would have a suburbanising impact on the street scene, when viewed from both directions. Although there would be a small triangular open area between the garage and the front boundary wall, even if filled with soft planting, it would not address views of the rear of the garage when approaching from the east along Old Watling Street.
8. For these reasons the proposed garage would materially detract from the informal semi-rural character and appearance of the street scene and the setting of the host dwelling. Due to the proximity of the garage to the front and side boundaries of the property, this harm is not something that could be satisfactorily dealt with by condition. It would also outweigh the benefits for the appellant and their family that would result from the provision of a garage.
9. I conclude on the first main issue that the proposal would unacceptably harm the character and appearance of the host building and the street scene. It would therefore conflict with CS Policy CS19 and Section 12 of the Framework.

Biodiversity

10. CS Policy CS12 seeks to ensure that there will be no net loss of biodiversity in the Borough and that opportunities to enhance, restore, re-create and maintain habitats will be sought. Consistent with this paragraph 170f of the Framework states that planning decisions should enhance the local environment by minimising impacts on and providing net gains for biodiversity.
11. The proposal would result in the loss of the area of lawn at the front of the appeal dwelling. Whilst this area of lawn is not large, most of the front garden of the appeal property and those of the adjacent dwellings have been hard surfaced and thus provide limited biodiversity opportunities. This situation is repeated elsewhere in the locality and highlights how small incremental losses can have an adverse impact on biodiversity. It also shows how they can break up informal wildlife corridors in residential areas.
12. The appellant has stated that a biodiversity mitigation scheme could be made the subject of a condition. However, the majority of the front garden is block paved; the proposed building would occupy almost all of the grassed area; and the open area between the proposed garage and the boundary walls is both small and enclosed. As such, without some details of how or where a

mitigation scheme could be achieved this is not a matter that could be reasonably dealt with by condition.

13. I therefore conclude on the second main issue, that due to the absence of a biodiversity mitigation scheme, the proposal would have an adverse impact on biodiversity. It would therefore conflict with CS Policy CS12 and paragraph 170f of the Framework.

Conclusion

14. The conclusions on both issues amount to compelling reasons for dismissing this appeal.

Elizabeth Lawrence

INSPECTOR