

Appeal Decision

Site visit made on 20 November 2020

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021

Appeal Reference: APP/K2230/W/20/3252969

Land at 11 Michele Cottages, Chalk Road, Higham, Rochester ME3 7JZ

- 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 J Ogunsola against the decision of Gravesham Borough Council.
 - The application (reference 20200267, dated 19 March 2020) was refused by notice dated 20 May 2020.
 - The development proposed is the formation of a vehicular access and a parking area to the front garden.
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Decision

1. The appeal is dismissed.

Preliminary points

2. In the application form, the "description of proposed works" elaborates on the proposal at some length. For the sake of clarity, therefore, I have adopted the description that was given in the Council's refusal notice and in the planning appeal form as the "formation of a vehicular access and a parking area to the front garden" (as set out in the headline above).

Main issues

3. The first main issue to be determined in this appeal is the effect of the proposed development on the appearance of its surroundings. The second is the effect of the proposed development on biodiversity.

Reasons

4. The appeal site lies within a small settlement in the Kent countryside that is effectively detached from Higham to the south. The site lies within the Green Belt but the project that is the subject of this appeal is very minor development in terms of Green Belt policy (and is "not inappropriate", therefore) and no Green Belt policy issues have been raised in the appeal.
5. The site is located on Chalk Road, at the northern edge of the village, which is a busy distributor road that goes on to Chalk and Gravesend and where traffic includes heavy lorries and fast moving vehicles, in spite of the narrowness of the road and the sharp bend a short way to the east of Michele Cottages.

6. Michele Cottages comprises a short terrace of houses on the northern frontage of the road, which are traditional in design and, as a whole, create an attractive feature. The houses are set back behind small front gardens but they have long rear gardens which can be reached from a narrow concrete driveway that adjoins the eastern side boundary of number 11.
7. On the opposite side of the road, there is a row of semi-detached houses, raised above the level of the highway and set further back. These houses generally have crossovers and on-site parking spaces, unlike the houses at Michele Cottages.
8. The small front garden at number 11 Michele Cottages is not particularly attractive and is enclosed by a concrete block and rendered wall that does not improve the streetscene, being rather stark in appearance, unlike the trimmed hedges and well-tended front gardens further along the terrace. The back garden of the house is bounded, along the driveway, by a high fence that largely conceals the garden. A simple shed stands within the garden, towards the rear of the plot.
9. The 'National Planning Policy Framework' (which was revised in February 2019) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It goes on to also emphasise the need to protect and enhance biodiversity, in principle, with the aim of "conserving and enhancing the natural environment" (at Section 15).
10. An emphasis on the importance of good design is also to be found in the Development Plan, notably at Policy CS19 of the 'Gravesham Local Plan Core Strategy' (adopted in September 2014), which identifies the Council's aim to "conserve and enhance the character of the local built, historic and natural environment", among other things. Policy CS12, which is entitled "Green Infrastructure", has the broad aim of protecting "overall landscape character" as well as having more specific biodiversity objectives.
11. In addition, the Council's Supplementary Planning Guidance on 'Residential Layout Guidelines' is still relevant (although it dates from 1996).
12. The proposed works would involve the demolition of the existing front garden wall and the construction of a new surfaced parking bay, covering the majority of the existing front garden. The removal of the existing garden wall would not detract from the appearance of the surroundings and its loss need not be regretted. It is also true that the garden area is small and its contribution to biodiversity is evidently limited, especially in view of its location between the front of the terrace and the public highway. Nevertheless, the surfaced area, when finished, would create a harder and less pleasing setting for the terrace and the proposed works would have a significantly harmful effect on the streetscene.
13. It has been noted that a number of other properties on the opposite side of the road do have the benefit of on-site parking spaces, but their situation is rather different, since the front gardens are larger and better able to accommodate the works satisfactorily.

14. Moreover, the properties at Michele Cottages have the benefit of a rear access that could be used to make better on-site parking provision at number 11 than that which is now proposed, recognising the practical benefits (including safety considerations) of on-site parking. The creation of a new access into the back garden would be likely to involve the removal of the existing shed in the back garden of number 11 but that would not outweigh the harm that I have identified.
15. I accept that the appeal scheme would have only a minimal effect on biodiversity but I am nonetheless convinced that the harm that would be done to the appearance of the surroundings would clearly outweigh the benefits that are claimed for the project. I am also convinced, therefore, that the proposal conflicts with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR