



Appeal Decision

Site visit made on 27 October 2020

by P B Jarvis BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021

Appeal Ref: APP/K2230/W/20/3249061

218 Singlewell Road, Gravesend, DA117RE.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr S Gill against the decision of Gravesham Borough Council.
- The application Ref 20191172, dated 4 November 2019, was refused by notice dated 28 February 2020.
- The application sought planning permission for a minor material amendment to planning permission reference no. 20150869 for erection of two single storey rear extensions to form lounge and utility room; conversion of existing garage into bedroom and ensuite bathroom; new front porch; erection of first floor extension incorporating the construction of three dormer windows in the front roof slope at first floor/roof level to form bedroom and bathroom and formation of new vehicular access onto a classified road; to allow relocation of dormer windows in front roof slope and installation of two additional velux windows in rear roof slope without complying with conditions attached to planning permission Ref 20160032, dated 30 March 2016.
- The conditions in dispute are Nos. 3, 4, 9, 10 and 11 which state that:
 - 3) The boundary treatments shall be provided in accordance with the details and annotations included on Drawing No. SR02/03 as received on 15 March 2016, before the development hereby permitted is first brought into use.
 - 4) The landscaping scheme shall be carried out in accordance with the details and annotations included on Drawing No. SR02/03 as received on 15 March 2016. Unless otherwise agreed in writing by the Local Planning Authority, the landscaping scheme and surface treatments shall be implemented before the development hereby permitted is first brought into use and any soft landscaping shall be maintained for a period of five years.
 - 9) The areas shown on drawing nos. DPP/SD/14/77/05B and SR02/03 as driveway and three parking spaces shall be formed and surfaced before the development hereby permitted is first brought into use and thereafter shall be used for or kept available for such use at all times and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification, shall be carried out on the site in such a manner or in such a position so as to preclude vehicular access to these areas.
 - 10) Before the development hereby permitted is first brought into use, the existing vehicle crossover must be removed and the kerb reinstated and a new vehicle crossover must be constructed to serve the full width of the access shown on drawing no. SR02/03, in accordance with the requirements of Kent Highways

Services.

- 11) Visibility splays of 2 metres by 2 metres shall be provided either side of the access, before the development hereby permitted is first brought into use and thereafter retained free of any obstruction in excess of 900mm in height. The access shall be a minimum width of 3 metres.
- The reasons given for the conditions are:
 - 3) In order to safeguard the privacy and amenity of the occupants of adjoining dwellings and in the interests of visual amenity.
 - 4) In the interests of visual amenity.
 - 9) In the interests of highway safety.
 - 10) In the interests of highway safety.
 - 11) In the interests of pedestrian and highway safety.
-

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the conditions are necessary having regard to (a) the effect on the character and appearance of the street scene, (b) highway safety and (c) the need to conserve and enhance biodiversity.

Reasons

3. The appeal site comprises a recently extended and altered detached chalet bungalow located along a main road. Within the vicinity of the appeal site the road is characterised predominantly by single storey and chalet bungalows with some two storey dwellings on the opposite side of Singlewell Road. To the north of the site on the corner of the nearby junction with Kings Drive is St Paul's Church which has an open grassed frontage to Singlewell Road. In the vicinity of the appeal site the road is relatively 'green' in appearance with a number of properties with hedging along front boundaries behind low walls.
4. The original permission granted under 20160032 for various extensions and alterations to the dwelling as described above included a reconfiguration of the front garden area to provide for an increase the number of parking spaces and relocate the vehicular access to a central position along the frontage.
5. This appeal seeks to vary the conditions relating to these works to enable an alternative access and parking layout. These works comprise hardstanding / parking areas across the whole frontage of the property and the creation of an in / out driveway with raised planters to the front of the dwelling and the creation of a semi-circular planting bed along the site frontage between the two access points. These works have already been undertaken apart from the landscaping / planting.

Character and appearance

6. The hardstanding and parking areas extend across the whole width and depth of the frontage of the property and have a harsh and unrelieved appearance in

the street scene. The proposed landscaping is minimal and in my view will do little to mitigate the impact of the hardstanding. The proposed boundary wall would be of a suitable design and appearance reflecting the established character of the street scene. However, it does add a further 'hard' feature that requires a generous amount of landscaping behind it and within the site to be sufficient to soften its appearance as is the case with a number of other boundary treatments within the street scene in the vicinity of the site. The effectiveness of this planting could be considerably reduced if required to be kept low to maintain visibility at the proposed site access points.

7. The approved scheme includes more extensive areas of planting which would provide a greater scope to mitigate the areas of hardstanding approved as part of that scheme, including a larger area to the front of the site and sizeable planting beds either side of the front porch.
8. I consider that the alternative scheme put forward through the variation to the conditions sought through this appeal would result in the parking and hardstanding area having a harmful impact on the character and appearance of the street scene, contrary to Policies CS19 of the Gravesham Local Plan Core Strategy (2014) (CS) which seeks to ensure that development is visually attractive, conserves the character of the built environment and integrates well with the surrounding local area and amenities of the neighbouring properties.

Highway Safety

9. The alternative access scheme that is sought would introduce a second access providing an 'in / out' arrangement that would enable cars to enter and leave the site in forward gear. The Council express concern regarding the lack of visibility at both access points but, having visited the appeal site, I fail to see how that would be the case, given the open nature of the adjoining properties, and relative position of access points. In addition, I note that the northernmost entrance simply reflects the location of the original access point. As with the existing permission, a condition to require and maintain appropriate visibility splays could be imposed, albeit as noted above, that would reduce the effectiveness of the proposed landscaping at the front of the site.
10. With regard to the parking provision, I note that three spaces would be required and at the time of my site visit, there were two cars parked on the drive with ample room for a further car to park. Whilst the proposed landscaping was not in place, it appeared to me that sufficient room would remain.
11. I therefore conclude that there would be no conflict with CS policy CS11 and Policies T1, T5 and P3 of the Gravesham Local Plan First Review (1994) which seek to ensure that sufficient parking is provided, manage highway impacts and to ensure that safe and suitable accesses are created. The Council's Planning Policy Guidance Note 6: Planning Policy for Vehicular Accesses to Classified Highways (2009) would also be satisfied in this regard.

Impact on biodiversity

12. According to the information provided, the original frontage of the appeal property included a much larger 'green' garden, a lawned area extending across at least half of the frontage with a tree. The approved scheme referred to above would result in a reduction in the total area but includes landscaping

that could provide a greater range of plants thus at least conserving the existing biodiversity value on the site.

13. Compared to the approved scheme, the proposed layout would significantly reduce the areas of planting to be introduced and thus, in the absence of any information to demonstrate otherwise, this would result in a net loss of biodiversity value on the site.
14. This would be contrary to CS policy CS12 which seeks to protect and enhance the network of green spaces within the urban area. In addition, it would fail to satisfy paragraph 170 of the National Planning Policy Framework which seeks to conserve and enhance the natural environment by, amongst other things, minimising impacts on and providing net gains for biodiversity.

Other Matters

15. The appellant emphasises the importance of enabling convenient access to the front entrance of the property for its occupants who have a disability, but it seems to me that could be achieved through other layouts.
16. I noted on my site visit that whilst the predominant character of the street scene is of single access properties with relatively well planted front gardens, there are nevertheless a number of exceptions to this. These include properties in the immediate vicinity of the appeal site which have extensive hard-surfaced frontages relieved by little, and in some cases no, landscaping. To my mind these detract from the otherwise well planted frontages of the majority and thus do not provide any justification for a similar approach on the appeal site.
17. I have considered other relevant paragraphs of the Framework, particularly those referred to by the appellant, but find no matters to outweigh the harm identified above.

Conclusions

18. Whilst I have found that the proposed new layout would not result in highway danger, it would result in an unacceptable impact on the character and appearance of the street scene and would fail to conserve or enhance the biodiversity value of the site. I therefore conclude that the relevant conditions should not be varied and the appeal should be dismissed.

P Jarvis

INSPECTOR