The Planning Inspectorate

Appeal Decision

Site visit made on 19 October 2021

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2021

Appeal Ref: APP/K2230/W/21/3281145
274 Lower Higham Road, Gravesend, DA12 2NR

- 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 Mrs Sarah Pamphlett against the decision of Gravesham Borough Council.
- The application Ref 20210288, dated 5 March 2021, was refused by notice dated 26 May 2021.
- The development proposed is Driveway and dropped kerb to provide vehicle access.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

    - The effect of the proposal on the character and appearance of the area; and
    - Whether the proposal would be likely to lead to damage to the highway and/or vehicle due to the gradient of the driveway.

Reasons

Character and appearance

3. The appeal property is a semi-detached dwelling which is located at a high level than the adjacent road. The frontage of the property is separated from Lower Higham Road by a grass embankment and a public footpath. The proposal is for the formation of a vehicle crossover with a width of about 3.52m and for the construction of hardsurfacing (shingle) with a width of around 7.68m to provide off-street parking in the front garden of the dwelling.

4. The existing grass verge is a particular feature of the street scene as it runs to the front of several of the dwellings located on the southern side of Lower Higham Road. The appeal property is at a point where the grass verge is on rising land above the carriageway and as such it is a prominent feature of the street scene which adds considerably to the visual amenity and character and appearance of the area. The appeal site is one of several dwellings that are located towards the edge of the urban area, with the Green Belt beyond. Whilst the verge is intersected by steps and railing in places and vehicular crossings to the east of the site at the start of the verge, it does nonetheless help to soften

the visual appearance of the built development on the southern side of this part of Lower Higham Road.

5. The proposed vehicle crossover would be particularly prominent in the street scene as it would be across a more elevated section of the grass verge. The grass verge has a depth of about 3.5 metres at this point and this, together with the width of the crossover of around 3.52m, would introduce a significant amount of hardsurfacing. The proposed hardsurfacing across the verge would be visually prominent due to its extent and its elevated nature and would have a greater impact on the landscape qualities of the verge than the narrow steps and railings that currently intersect it. In my view, the hardsurfacing associated with the vehicle crossover, together with the hardsurfacing of most of the front garden of the property, would have an adverse effect on the soft landscaped quality of the street scene and would adversely affect the character and appearance of the area.

6. The appellant has confirmed that a narrow strip of land between the appeal site and the neighbouring dwelling would continue to be landscaped and that the laurels to be removed would be replanted beneath the front window of the dwelling. Whilst noted, these measures would not sufficiently mitigate against the loss of landscape quality resulting from the appeal proposal.

7. The appellant has highlighted two applications for vehicle crossovers that have been allowed by the Council at 144 Lower Higham Road and 280 Lower Higham Road. Of these, 280 Lower Higham Road is close to the appeal site. Whilst I have not been provided with any further details of the application at 280 Lower Higham Road, the crossover that has been constructed is across land that is at a similar level to the highway and is towards the start of the grass verge. In my view, this crossover does not have the same effect on the character and appearance of the area as the appeal proposal which is across a more elevated verge.

8. The crossover that has been created at 144 Lower Higham Road is also across less elevated land and is in part of the road that has a more built-up character where vehicular crossovers are more common. As such, I do not consider it to be directly comparable to the appeal proposal.

9. In conclusion, the proposal would have a harmful effect on the character and appearance of the area and as such would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) (CS) which requires new development to be visually attractive, fit for purpose and locally distinctive and to make a positive contribution to the street scene, public realm and the character of the area. It would also conflict with the National Planning Policy Framework (2021) as it would not add to the overall quality of the area.

Effect on the highway

10. The proposed vehicle crossover would be across a verge that is at a higher level than the adjacent carriageway. The consultation response from the Highways and Transportation Department at Kent County Council observed the *'gradient of the access to be no steeper than 1 in 10 for the first 1.5 metres from the edge of the carriageway and no steeper than 1 in 8 thereafter.'* The Council's Highways Development Management Officer also commented that gradient should ideally be 10% or less to reduce the risk of grounding and damaging the highway and/or vehicle.

11. The application drawings do not indicate the proposed gradient of the access and I cannot therefore accurately judge whether the proposal would comply with the above requirements. However, in the event that I was minded to allow the appeal, this is a technical detail that would be more appropriately dealt with under the separate consent that would be required from Kent County Council Highways for the construction of the vehicle crossing within the public highway.

12. I have no evidence before me to suggest that the proposal would result in damage to the public highway and/or vehicles. As such, I do not consider that the proposal would be contrary to the provisions of Policy CS11 of the CS which states that new development should mitigate their impact on the highway and public transport networks.

Other Matters

13. I note the benefits to the appellant in having off-street parking and the difficulties sometimes experienced in parking close to the dwelling. I also note that the proposal would enable the appellant to install an electric charging point, which would be environmentally beneficial. I have also had regard to the various safety concerns associated with on-street parking highlighted by the appellant. However, these considerations are not of sufficient weight to lead me to a different conclusion on the main issue. Comments made by the appellant regarding the handling of the application by Gravesham Borough Council is not a matter that I am able to take into account in the determination of the appeal.

Conclusion

14. The harm that would be caused to the character and appearance of the area leads me to conclude that the proposal would conflict with the development plan as a whole. There are no material considerations of such weight to lead me to the conclusion that the proposal should be determined other than in accordance with the development plan.

15. For the above reason I conclude that the appeal should be dismissed.

J Davis

INSPECTOR