



Appeal Decision

Site visit made on 13 June 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st July 2024

Appeal Ref: APP/T2215/D/24/3339876

87 Hill Rise, Darenth, Kent DA2 7HX

- 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 & Mrs James Amalan against the decision of Dartford Borough Council.
 - The application reference is DA/23/01283/FUL.
 - The development proposed is for the excavation of the front garden for a proposed vehicle crossover.
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Decision

1. The appeal is allowed and planning permission is granted for the excavation of the front garden for a proposed vehicle crossover at 87 Hill Rise, Darenth, Kent DA2 7HX in accordance with the terms of the application reference DA/23/01283/FUL, subject to the following conditions:

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: AD/23/HIL87/VC00 1 of 2, AD/23/HIL87/VC00 2 of 2.

3) No development shall commence until details/samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details/samples and retained thereafter.

4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

The landscaping works shall be carried out in accordance with the approved details. The completed soft landscaping scheme shall be retained for the lifetime of the development. Any trees or shrubs which die, or are damaged, removed or seriously diseased shall be replaced by those of a similar size and species to those originally planted.

Preliminary Matter

2. Since the determination of the planning application the Council have adopted The Dartford Plan April 2024 (DP), whose policies supersede the Dartford Core Strategy 2011 and the Dartford Development Policies Plan 2017 referenced within the Decision Notice. I have therefore determined the appeal with the newly adopted policies in mind.

Main Issues

3. The main issue is the effect of the proposal on character and appearance of the surrounding area.

Reasons

4. 87 Hill Rise is a two-storey, semi-detached house in an estate of broadly similar properties that surround a central green with playground and communal parking areas. The house is in an elevated position due to a fall in topography towards the public highway. The front garden currently comprises grass on sloping ground with some small trees and a low level supporting wall at the boundary with the footway.
5. Approaching the appeal site from the junction with Hillside, it was apparent from my site visit that many dwellings have off-street parking at the front and side on hardscaped driveways. Where they exist, there is a wide variety of boundary treatments evident including walls, metal gates and timber fences. Further past the appeal site, at the top end of the central green, some front gardens comprise terraces with retaining walls and planted borders.
6. I am mindful that the plans as presented are somewhat lacking in detail, and as a result I share the Council's concerns that the scheme could give rise to a harsh form of development that could cause harm to the visual amenity of the streetscene.
7. However, the Planning Practice Guidance states that conditions can enhance the quality of development and enable it to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects. The appellant's statement also makes some reference to conditions.
8. To this end, I consider that any discordant impacts could be mitigated through the submission of materials and soft landscaping, such that any adverse loss of character would be prevented. There is scope for green walls to be created at the side and back of the parking area, and grasscrete paving or similar for the finished surface of the spaces. Precise details of the materials and landscaping would be the subject of a condition.
9. I therefore conclude that the scheme would not result in detriment to the character and appearance of the surrounding area. It would comply with Policies M1 and M10 of the DP, which expect new development to be of a high-quality design that reflects and respects the existing character, setting and local context.

Conditions

10. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the

standard implementation condition, the approved plans are listed for certainty.

11. Conditions requiring the submission of materials and a landscaping scheme are imposed to ensure the satisfactory appearance of the proposals. Given the importance of the landscaping scheme I consider it to be necessary for the lifetime of the development.

Conclusion

12. Given the above and all other issues, the appeal succeeds.

C Hall

INSPECTOR