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## Appeal Decision

Site visit made on 7 October 2021

**by Lynne Evans BA MA MRTPI MRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 01 November 2021**

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**Appeal Ref: APP/K2230/D/21/3277340**

**8 Hillingdon Road, Gravesend, Kent DA11 7LG**

- 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 Nicola Underwood against the decision of Gravesend Borough Council.
  - The application Ref: 20201144 dated 30 October 2020, was refused by notice dated 22 March 2021.
  - The development proposed is excavate front garden for parking area with crossover to pavement.
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### Decision

1. The appeal is allowed and planning permission is granted for excavation of front garden for parking area with crossover to pavement at 8 Hillingdon Road, Gravesend, Kent DA11 7LG in accordance with the terms of the application, Ref: 20201144 dated 30 October 2020, 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: Ordnance Survey Site Location Plan; Existing Site Frontage Plan and Section (1:50) and Proposed Site Frontage Plan (1:50).
  - 3) No gates shall be installed across the vehicular access and driveway hereby permitted at any time.
  - 4) No boundary treatment which adjoins the pavement, whether hard or soft, should exceed 850mm in height.
  - 5) The block paving shown on the proposed plan, hereby approved, shall be of a permeable material.

### Preliminary Matters

2. Since the application was determined, the National Planning Policy Framework (Framework) has been revised in July 2021. However, I do not consider that the changes directly affect the appeal proposal before me, but all references are to the July 2021 version.

## **Main Issue**

3. The main issue in this appeal is the effect of the proposal on the street scene.

## **Reasons**

4. The appeal property is a mid-terraced property on the northern side of Hillingdon Road. Although there are a few exceptions, including Nos 2, 4 and 6, the majority of the houses on the north side of the road are level with the road or slightly higher, and have turned their front gardens into hardstanding for vehicles. Conversely, and again with a few exceptions, the majority of the houses on the southern side of the road, towards the western end, have retained their front boundary walls and soft landscaping to their front gardens. The houses at the eastern end on the southern side have again primarily turned their front gardens to hardstandings. Many of the properties on the southern side are also set above the road level, with front garden retaining walls and steps up to the houses and retains a coherent pattern of development, providing a softer and more verdant frontage to the street scene. There is therefore a very distinctly different character and appearance to the different parts of the road.
5. The proposal would require the removal of the low boundary wall and the gradation of the land between the house and the highway and pavement to create the hardstanding. No street trees would be affected.
6. It is not known whether all the hardstandings I saw at my site visit either required or benefit from planning permission, although the Council has referred to the adjoining property at No 10 receiving permission for a hardstanding albeit with some soft planting. Given that the clear pattern of development on the north side of the road, which includes the appeal property, includes for hardstandings within the front garden area, the proposed development would follow this pattern. There would be scope to retain some planting which would be beneficial to soften the appearance of the frontage and the street scene. However, given the general arrangement of many of the hardstandings on the same side of the road which have given over their entire frontage to hard surfaces, it would be unreasonable to withhold planning permission solely on this ground.
7. I am therefore satisfied that there would be no harm to the street scene from the proposed development. There would be no conflict with Policy CS19 of the Gravesham Local Plan Core Strategy and the Framework and in particular Section 12, all of which seek a high standard of design which respects the local context.

## **Other Considerations**

8. The Council has drawn my attention to two appeal decisions relating to a similar proposal but on the opposite side of the road, both of which were dismissed in January 2021 under Refs: APP/K2230/D/20/3249712 and APP/K2230/W/20/3248820. Each proposal must be assessed on its individual merits and given the very different character and appearance of both sides of the street, which was also remarked upon by the Inspector in the earlier decision, I see nothing contradictory in the assessment I have reached in respect of this particular appeal.

9. I have also considered at the same time an appeal for a hardstanding at another property in the same street where I have come to a different conclusion, reflecting the change in character and appearance between the different parts of the street.

**Conditions**

10. The Council has suggested a number of conditions in the event of planning permission being granted. A condition should be imposed to list the approved plans for the avoidance of doubt and in the interests of proper planning.
11. I have also imposed a number of other conditions as requested to ensure highway and pedestrian safety, including that there should be no gates, to restrict the height of any soft landscaping which might be introduced and to ensure that the block paving is permeable. However, I do not consider that it is necessary to impose a condition to require the Appellant to first secure consent for the dropped kerb, there are separate procedures for this to be undertaken.

**Conclusion**

12. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be allowed.

*L J Evans*

INSPECTOR