

Delegated Report

Householder Planning Application

Planning Application No: 20211144

Location: 49 Ingoldsby Road Gravesend Kent DA12 2LF

Description: Creation of a vehicle crossover.

Applicant: Mr Samuel Nicol

Site Visit Date: **Desktop Assessment**

Submitted Documents/Plans

- Application Form Received 23/09/2021;
- Existing Block Plan Received 23/09/2021;
- Proposed Block Plan Received 29/09/2021;
- Site Location Map Received 20/10/2021 and;
- Drawing No: PL-1021-O3 (Existing & Proposed Plans) Received 11/11/2021.

Relevant Planning History

No relevant planning history

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards
- T5 – Access to the Identified Highway Network

Paragraph 33 of the NPPF (2021) sets out those policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and The review found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02 due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006)
- Kent County Council's Vehicle Crossing Guidance and Self-Assessment document (2018)
- Householder Extensions/Alterations Design Guide SPD (2021)

Consultations, Publicity and Representations

KCC Heritage

No comments received.

KCC Highways

Referring to the description, it would appear that the development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

GBC – Highways Officer

Proposal does not comply with adopted guidance (full comments in Analysis section).

Neighbouring properties

The application was advertised by way of letter to five surrounding properties. The consultation period expired on 9th December 2021 and no comments were received.

Analysis

Proposal

The application seeks the formation of a vehicular access onto an existing hardstanding. The access will have a width of 4.8m and a depth of 4.8m and will consist of the installation of a 3.7m dropped kerb.

Character and Appearance

49 Ingoldsby Road is a two storey mid terrace property. The property is set back from the highway. The residents have hard-paved the front garden which was completed after 2018. The hardstanding has a width of 4.8m and a depth of 4.8m.

Many other properties in the road have undertaken a similar development to what is proposed in this application; however these were not permitted by the council. This development was completed without planning consent, and may be deemed liable to be lawful through the passage of time and therefore has no relevance to this decision. It should also be noted that the properties which have such parking to the front of the properties are set further back from the footpath and so have the benefit of increased depth.

The proposal does not provide details on what materials the hardstanding is constructed of and whether it is permeable.

Policy CS19 of the Local Plan Core Strategy (LPCS) (2014) requires new developments to be visually

attractive, to conserve or enhance the character of the local built environment and also integrate well with the surrounding area. It is considered that the hardstanding adds to the urbanised feel of the area and would benefit from the retention of some soft landscaping, however it must be noted that the hard paving has already been installed and whilst not ideal a refusal on this basis would not be sustainable at appeal level.

Amenity of Future Occupiers

The application provides acceptable conditions that safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS).

Neighbouring Amenity

The crossover will not cause any material harm to the amenity of any adjoining properties in terms of loss of light, outlook, privacy or sense of enclosure.

As such the application is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 (LPCS).

Parking and Highways

Gravesham highways officer was consulted and his comments state:

“This application does not comply with adopted guidance, but there is a conflict with other guidance issued by Kent County Council as Highway Authority to compound the issue both guidance’s are current.

The adopted guidance in SPG4 and applies to both K.C.C. and Gravesham is a parking space should have a minimum width of 2.5 metres by 5 metres deep. However, the carriage crossover/dropped kerb guidance issued by K.C.C. permits a space of 2.4m x 5m, but in front of a door this increases to 6 metres to allow reasonable pedestrian access to the door particularly in the event of an emergency.

B8. The preferred sizes for parking bays in Kent provided as part of development proposals are:

	Length	Width
Parking Bay Size for Powered Two-Wheelers ⁽¹⁾	2.5m	1.5m
Parking Bay Size for Cars ⁽²⁾	5.0m	2.5m
Parking Bay Size for People with a Mobility Handicap	5.5m	3.6m
Parking Bay Size for Light Goods Vehicles	7.5m	3.5m
Parking Bay Size for Minibuses ⁽³⁾	8.0m	4.0m
Parking Bay Size for Coaches ⁽³⁾	14.0m	4.0m
Parking Bay Size for Rigid Heavy Goods Vehicles	12.0m	3.5m
Parking Bay Size for Articulated Heavy Goods Vehicles	16.0m	3.5m
Notes:	1. A minimum space of 1.0m should be allowed between each motorcycle. 2. Where car parking spaces are provided parallel to, and abutting, a carriageway, aisle or drive the preferred bay size should be 6.0m x 2.5m to allow vehicles to manoeuvre into the bay when adjoining bays are occupied. The width of end spaces abutting an enclosed boundary should be increased to 2.7m 3. A width of 4.0m is the minimum necessary to allow passengers to embark and disembark safely.	

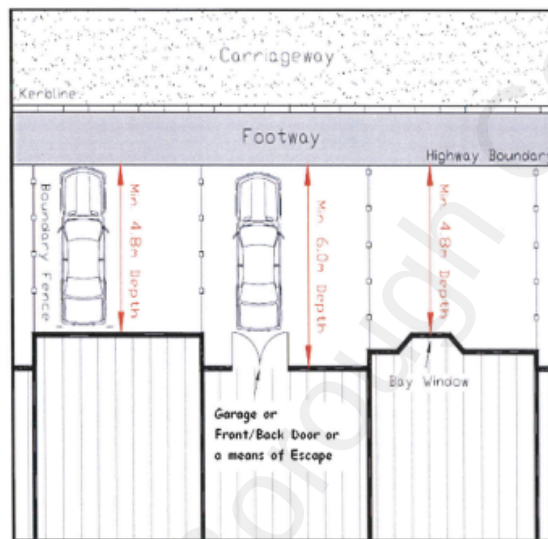
Vehicle Crossing Guidance and Self Assessment

Before submitting your application you are advised to check your proposal against the following criteria: -

1 Is there enough space in your garden?

No part of a vehicle parked within your property may project on to or over the highway. The vehicle access crossing may not be used as a parking area and no part of it is exempted for the purpose of footway parking. In order to comply, the parking space must be:-

- at least 4.8m long between the back of the pavement or property boundary (the face of any wall, fence or hedge for example) and the front of your building.
- Or at least 6m long where the parking area is in front of a garage or door where adequate means of escape needs to be provide, like a front/back door, escape window etc. If you have any questions on the adequate means of escape please contact your local kent Fire and Rescue Service, Safety Office.



Vehicle Crossing Guidance and Self-Assessment v7 2
www.kent.gov.uk September 2015

Here the front garden is only 4.8 metres deep and so whilst it may comply with the minimum depth guidance it does not provide the 6 metres required in front of the front door. Also the width of 4.8 metres is restrictive for two vehicles, as there is no space to borrow from adjacent parking spaces where the boundary walls are. SPG4 suggests that parking spaces should be widened to 2.7m when it adjacent to an enclosed boundary. Therefore the driveway would only be suitable for a single vehicle and for this a 3.750 metre dropped kerb would appear excessive. 2.8 metres should be sufficient, 3 dropped kerbs plus the wings and this should be offset from the centre of the property so that the vehicle is parked away from the pedestrian route to the front door.

I am unclear on the situation in planning, but I note that the front garden was repaved between May 2018 and May 2019, this as far as I'm aware should have been constructed in permeable paving so that no surface water drains onto the highway and water percolates through to the ground water and may warrant further investigation."

Policy T5 of the Gravesham Local Plan (First Review) 1994 states:

"The formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable

to the Local Planning and Highway Authorities”

The hardstanding is insufficient and contrary to the above and Kent County Council's parking standards (SPG 4) which states a space should have a minimum depth of 5m and where there is a front door the depth increases to some 6m. The proposal does not provide a detailed parking plan so it is not clear how many vehicles the applicant wishes to park on the drive. However if it is the case that a vehicle is intended to be parked in front of the front door then the required driveway depth should be 6m.

The depth of the proposed driveway would be 4.8m and is therefore substandard, meaning that vehicles will overhang the boundary onto the footpath of the application property's curtilage.

As can be seen from the Google Maps Image (April 2021) a vehicle parked on the driveway overhangs the front driveway.



It is noted that further to south on the same road a number of vehicle cross overs have been constructed. However, the terrace dwelling is set further back as demonstrated from the google maps image (April 2021)



In summary the application is contrary to the minimum depth stated in KCC's parking standards (SPG 4)

and cannot be supported.

Furthermore the proposal does not provide details on what materials have been used in the construction of the hardstanding which may mean that surface water may drain onto the highway and cause a hazard to users. In the event of the application being supported details of drainage would have been addressed through appropriate planning conditions.

Conclusion & Recommendation

The application has been fully considered and it is recommended that planning permission is refused.

The formation of a vehicular access and subsequent parking provision by virtue of substandard depth is contrary to saved policy T5 of the Gravesham Local Plan (First Review), Kent County Council's parking standards (SPG 4) and the Kent County Council's Vehicle Crossing Guidance and Self-Assessment document (2018) as such vehicles will overhang the driveway over the boundary of the property onto amenity land.

Therefore the proposed vehicular access fails to comply with local and national planning policy and cannot be supported.

(For detailed reasons for refusal and informatives, see draft Decision)

Case Officer:	Mr Richard Hart	Team Leader:	Miss Faye Hobbs
Signed:	<i>R Hart</i>	Signed:	
Dated:	23 rd December 2021	Dated:	23 December 2021