



Delegated Report

Application No: 20211326

Location: Cumloden, Pear Tree Lane, Shorne DA12 3JZ

Description: Application for approval of conditions 4 and 6 attached to planning permission reference number 20190755 relating to the soft and hard landscaping scheme to front (4) and land reserved for parking (6).

Applicant: Mr Durbidge

Submitted Documents/Plans

Application form received 25 October 2021.
Planning Statement received 25 October 2021.
Title plan received 8 December 2021.
Drawing no. SM239.garden rev E (front garden plan) received 8 December 2021.

Relevant Planning History

20210966	Application for approval of conditions 4 and 6 attached to planning permission reference number 20190755 relating to the soft and hard landscaping scheme to front (4) and land reserved for parking (6).	RDET	21.09.2021
20200355	Demolition of existing side garage and utility room and erection of rear and side extension including roof alterations to create further accommodation at first floor level. Front garden alterations including new vehicle cross over	REF	03.06.2020
20190755	***REVISED PLAN*** Demolition of existing side garage and utility room and erection of rear and side extension including roof alterations to create a two storey dwelling with additional living accommodation at first floor level.	PER	09.10.2019

Consultations, Publicity and Representations

GBC Highways Officer

The submission makes a couple of issues that require further consideration.

Drainage; reference is made to an existing soakaway, but no details are provided regarding its capacity or soakage rate to ensure that there is adequate capacity to accommodate the additional paved area under design storm conditions, the applicant should refer to building regulations for design criteria. Similarly there are no details regarding the channel drain and where it will be positioned and linked to the soakaway, assuming there are no issues with line, level or underground obstructions such as utility services.

Gates; Looking at Google Street view it is accepted that gates may have been in place for the original access. But on the recent visits by Google Street View they have been left open.

Current situation, the access will be widened as such I would suggest that there has been a material change in the access as it is designed to accommodate a larger parking area with a corresponding increase in vehicle movements, which if they have to wait on street whilst the gates open or closed is detrimental to highway safety, particularly when Pear Tree Lane does not benefit from street lights. I therefore would oppose gates on safety reasons, but accept under planning considerations it may not be possible to prevent their installation.

Shorne Parish Council

This application is a revised version of the proposals submitted as part of refused applications refs 20200355 and 20210966. The reasons for the refusals are set out in the respective detailed Officer Reports.

The latest design proposal has taken note of some of the previous comments and advice however some items also remain unaddressed. Additional comments and photographs have helpfully been provided by the applicant.

The present proposal has a single driveway in the established position for the site, and a single wide wooden sliding gate (1m high on the plans) which retracts behind a hedge. These changes increase the compatibility with the local streetscene.

The Parish Council however continues to have concerns about some aspects of the proposals and we have the following comments:

1) **Design of frontage:** The design remains almost completely paved save for two small acers in pots and a very narrow flowerbed. The adjoining property Clearways to the west has a highly paved frontage (see Plate 4) however this was installed without having been included in their 2013 planning permission and there is no highway verge beside the pavement there. Noted that the frontage is stated to be "reserved for car parking", the meaning of this needs to be clarified, and perhaps regulated by Condition.

2) **Location of the hedge and soakaway, and clarification of the depth of the highway verge:** The proposed 1m high laurel hedge is shown planted right up to the edge of the pavement whereas we believe that this encroaches on the highway verge as shown on the KCC Highways street plans. Similarly for the position of the proposed channel drain.

Extract from KCC Highways mapping (public):



We note that the photographs supplied by the applicant show that the original wooden gate was in line with the fence of the house immediately to the east, as in accordance with the KCC Highways street plans. The previous hedge was very overgrown and had encroached onto the Highway verge.

We believe that the proposed hedge should be planted in a bed that is fully behind the original gate line and the continuation of the line of the fence from the next door east property to the forward end of the dividing fence to Clearways, however this must be clarified with KCC Highways.

We have asked previously for this to be officially clarified with KCC Highways by GBC and request this again.

Other comments arising from the applicant's statement document:

- Permeable nature of paving – this has not been confirmed. The concern is not just about having block paving but the overall permeability of the installation and the functioning of any soakaways, i.e. whether the proposals will prevent excess water draining onto the roadway.
- Insetting of gates from the roadway – a greater insetting distance was recommended however, as the applicant has shown, the proposed gates are in line with the previous gates on the property and those next door to the east (as Plate2). It would seem though that these gates are/were rarely closed. This matter should be reviewed against their previous advice, by the GBC Highways Development Management Officer.
- Security concerns – the applicant reports that they have had cars stolen twice and the garage burgled once. We were not made aware of these incidents at the time and would obviously express our sympathies however they are not typical for the area.
- Wall at nearby frontage, Plate 5 – this is the subject of enforcement action. Retrospective planning permission has been applied for (ref 20210433), to which the Parish Council objected, and the decision is awaited
- Gates on driveway to Stables opposite, Plate 6 – these gates are set well back from the roadway.

Analysis

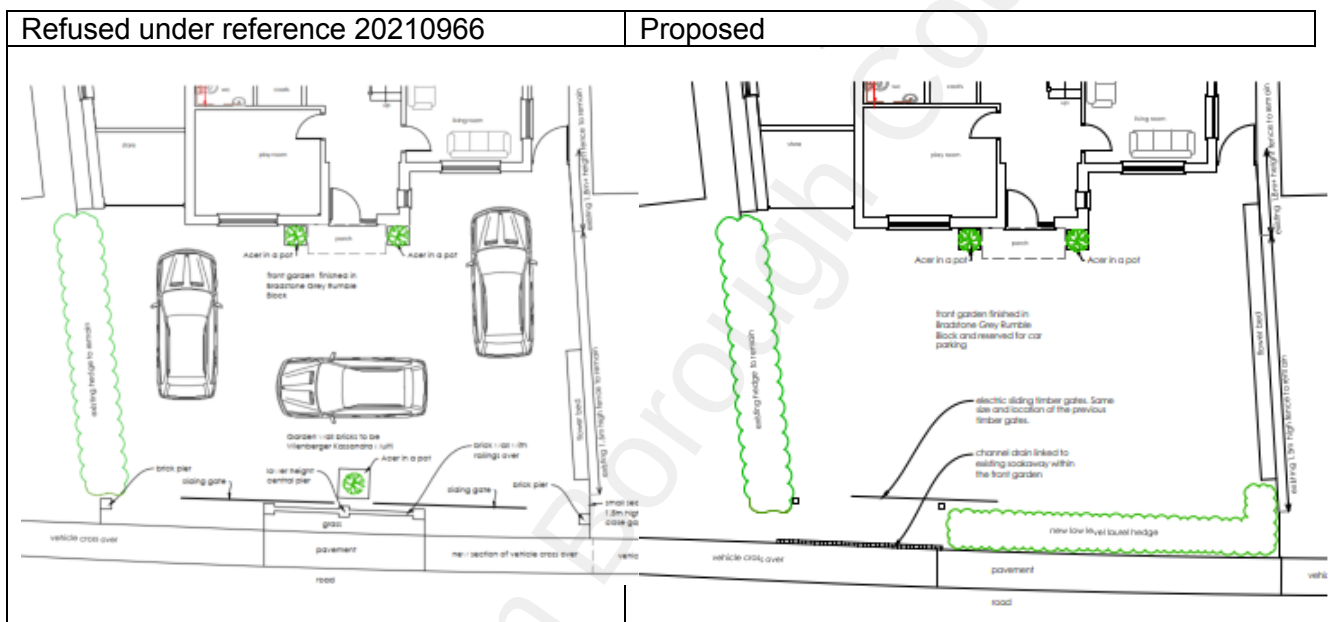
This is an application for the approval of conditions 4 and 6 of planning application reference 20190755. The conditions are listed below:

Condition 4 – landscaping

Prior to the first occupation of the extension hereby approved, details of a soft and hard landscaping scheme to the front of the property, to include details of surface and boundary

treatments and any retaining structures or other means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. The approved scheme shall be carried out in full during the first available planting season following first occupation of the dwelling hereby approved. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the soft landscaping scheme is implemented shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development and the wider area, in accordance with Policy CS19 of the Gravesham local Plan Core Strategy (September 2014).



20210966 was refused for the following reasons:

The details shown on drawing no. SM239.garden rev B (front garden plan) received 2 August 2021 show a development similar to that which was refused under reference 20200355 and therefore raises the same concerns as before. The proposed front driveway, due to the extent of hard standing and lack of soft landscaping, together with the boundary walls and gates, will result in a harsh form of development in this semi-rural location, out of character with the surrounding area and contrary to Policies CS12 and CS19 of the Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

The submitted details do not provide information regarding how surface water run off will be dealt with within the site, the proposed electric gates will result in vehicles waiting on the carriageway for them to open thus causing an obstruction and the additional dropped kerb does not have permission from the Highways Authority whose guidance states that applications for a second access point where one already exists will not normally be approved for domestic dwellings unless there is strong evidence that it will add significantly to highway safety. Therefore the proposals conflict with the objectives of Policy T1 of the Gravesham Local Plan 1994 and Policy CS11 of the Core Strategy 2014.

The revised plans now show a hedge to the front, timber gates in a similar position as they were historically and a flower bed to the western side. The plans confirm the front garden will be

finished in Bradstone Grey Rumble block and there will be a channel drain linked to a soakaway within the front garden. Hedges to the front are a feature of the street scene and therefore the proposed hedge is welcomed. The side boundary hedge is to remain and there will be a planter to the opposite side. On balance, it is considered that there is enough soft landscaping to mitigate against the harm of the hardstanding and to retain the semi-rural appearance of the site. It is clear from historic street view pictures that there were once timber gates to the front of the property and therefore the principle of reinstating 1m high timber gates is acceptable in terms of appearance.

Some concerns have been raised by the Parish Council regarding the ownership of the grass verge. The applicant has provided a copy of the title deeds showing the site, including the section the Parish Council have stated is grass verge, outlined in red. They have also outlined the whole site in red and signed certificate A on the original planning application form. For the purposes of the planning application the application owns the entire site and if that is found not to be the case this is a civil issue between land owners.

This condition can be discharged.

Condition 6 - parking

Prior to the first occupation of the extension hereby approved, a plan showing land reserved for parking in accordance with the adopted parking standards shall be submitted to and approved in writing by the Local Planning Authority. The extensions shall not be occupied until this area has been provided, surfaced and drained in accordance with the approved details. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land shown or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy CS11 of the Core Strategy 2014.

The gates are to be reinstated in the same position they were historically. Surface water run off is to be dealt with within the site. The proposed 'in-out' drive has now been removed and there is adequate parking for the size of the property. This condition can be discharged.

Recommendation:

Approval of conditions

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 14 December 2021.	Dated: 15 th December 2021