



Delegated Report

Householder Planning Application

Planning Application No: 20220480

Location: 23 Vicarage Lane Gravesend Kent DA12 4TF

Description: Creation of a vehicle crossover with associated hardstanding area.

Applicant: Mr Alan Ring

Site Visit Date: 21.07.2022

Preliminary Matters

The applicant was contacted 03.08.22 to establish the number of bedrooms the property has and also if the garage to the rear of the property is a double garage. The applicant confirmed the property has 3 bedrooms and the garage is a single garage.

Submitted Documents/Plans

Application Form;
Drawing No. 22-0975 – 01 - OS Plan;
Drawing No. 22-0975 – 02 – Block Plan – Existing and Proposed;
Drawing No. 22-0975 – 03 – Front Garden Plan – Existing;
Drawing No. 22-0975 – 04 – Front Garden Plan – Proposed;
Drawing No. 22-0975 – 19 – Elevations – Existing; and
Drawing No. 22-0975 – 20 – Elevations – Existing.

Plan note

The plans measure electronically at A2 size and the application will be assessed as such. It is also important to note that this application is dealing only with the *creation of a vehicle crossover with associated hardstanding area*. Any other development demonstrated on the plans or job titles is irrelevant to this application and has not been assessed as such (e.g. dormer/roof alterations.)

Relevant Planning History

Reference	Description	Decision	Decision Date
20220679	Application for a Lawful Development Certificate in respect of the proposed erection of a dormer with Juliet balcony in the rear roof slope, roof alterations, installation of 2 obscured rooflights in the front roof slopes and conversion of the roofspace to form habitable rooms.	Certificate Granted	19.07.2022
20220684	Single storey rear extension with a depth of 3.94 metres, maximum height of 3.37 metres and eaves height of 3.00 metres.	Prior Approval is Not Required	18.07.2022

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 - Impact of Development on the Highway Network
- T5 - Access to the Identified Highway Network

Paragraph 33 of the NPPF (2021) sets out that 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 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 that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006); and
- Householder Extensions/Alterations Design Guide (2021)

Other Supplementary Planning Guidance

- Department for Transport - Manual for Streets (2007)
- Kent County Council - Vehicle Crossing Guidance: Self-Assessment (2018)

Consultations, Publicity and Representations

Consultees

KCC – Highways

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

Informative: It is important to note that planning permission does not convey any

approval to carry out works on or affecting the public highway.

GBC – Highways Officer

This proposal raises a couple of questions, at approximately 9 metres deep there is insufficient space in the front garden to accommodate a soakaway. (Building Regulations prohibits a soakaway within 5 metres of a building or the highway) Therefore the drive would need to be constructed in a bound permeable material.

The second issue is, there is insufficient space to accommodate two vehicles in tandem. Parking in tandem requires ideally 10 metres, with 9.6 metres as the absolute minimum. Alternatively if it is intended to park a van or caravan off street a depth greater than 5 metres would be required, but still less than 9 metres. So there should be some scope to retain some soft landscaping in the front garden.

Finally pedestrian visibility splays should be provided, these are 2 metres along the edge of the access point into the garden and 2m along the back edge of footway away from the side of the access.

Neighbouring properties

A site notice was displayed on 21.07.22, 5 surrounding properties were consulted, and no responses were received. The expiry of the overall consultation period was 12.08.22.

Officer's Analysis

23 Vicarage Lane is a two storey semi-detached property located west of the highway. The front garden has some hard and soft landscaping along with a low boundary wall and gate.



This application proposes the creation of a vehicle crossover with associated hardstanding area. The proposed crossover would go over amenity land indicated to be under Highways ownership and therefore requires planning permission.

Design, Character and Appearance

23 Vicarage Lane has an attractive front garden with a mix of planting, soft landscaping and a paved pathway. The garden has a low front boundary wall and gate which is a typical feature, characteristic of the area.

The development proposes the construction of a vehicular access over grass verge. This would involve removal of (most of) the front boundary wall, the gate and a 14.20sqm section of grass verge situated outside the property boundary.

Proposed Elevation showing removal of wall and gate



Proposed Driveway Elevation

Grass verges are considered a positive attribute of the local area. The interruption of the grass verge with a tarmac/hard paved area would have a negative impact on the immediate locality as 23 Vicarage Lane is set within a row of properties that have retained the grass verge. While it is noted that some neighbouring properties have undertaken development that paves over the grass verge, these developments are considered to demonstrate the detrimental impact this has on the character of the area.

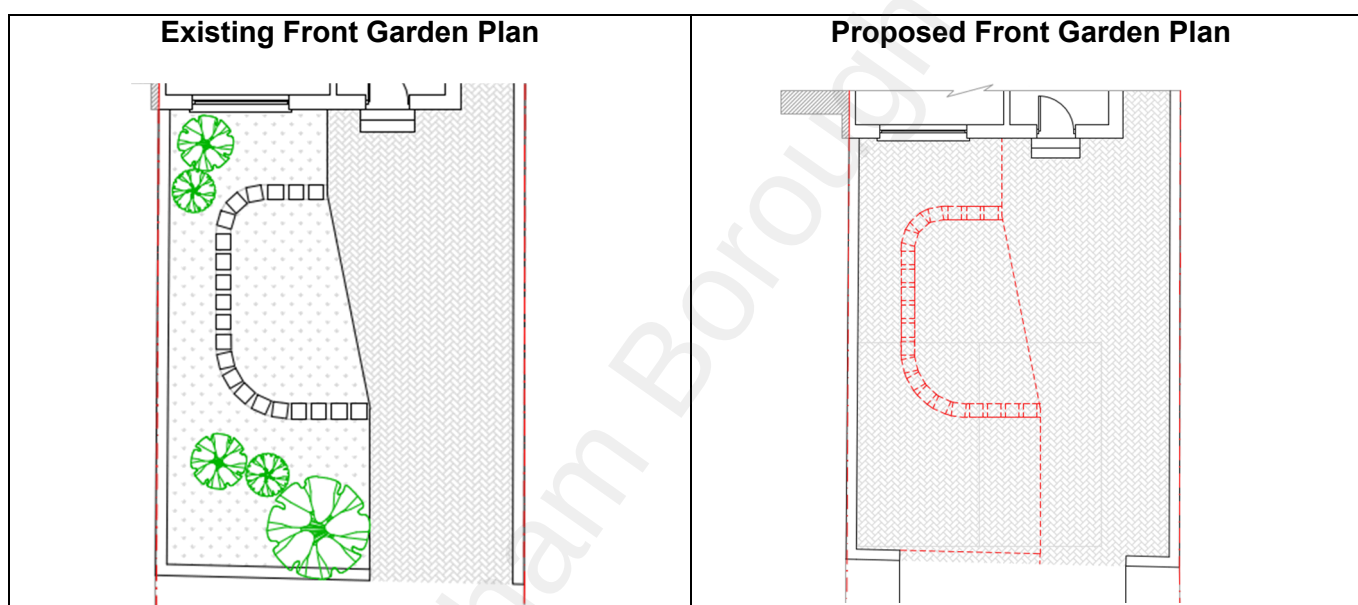
The driveway at 19 Vicarage Lane (ref 20170655), *Application for the provision of a vehicle crossover over a highway verge*, was permitted, however, the delegated report makes it clear that there is no record of planning permission being granted for many of the surrounding crossovers and makes reference to the fact that it is unfortunate that these grass verges have been lost. Furthermore, 20170655 was permitted prior to the adoption of Supplementary Planning Guidance including Gravesham's Householder Extensions/Alterations Design Guide (2021) (Design SPG 2021) and the revised NPPF (2021) which indicates the development proposed in this current application would not be acceptable.

Aerial view showing grass verge without crossovers	Aerial view showing where grass verge has been removed for crossovers
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As indicated by the aerial images above, the character of the street scene is stripped away by the formation of vehicle crossovers across the grass verge.

In addition, the plans show the attractive garden is to be cleared and paved without any soft landscaping retained or proposed which will result in a stark and harsh appearance and will negatively impact the street scene.



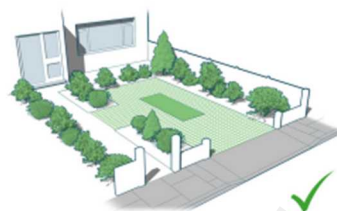
As aforementioned in this report, the Local Planning Authority has recently adopted supplementary planning design guidance SPD (2021). As per section 10.21- Front Gardens and Parking - the following considerations should be made:

- Hardstanding should be proportionate to the dwelling size and avoid paving over a significant amount of the forecourt.
- There should be a soft landscaped planted border along all boundaries in all spaces not specifically defined as parking or turning spaces.
- Proposals should avoid removing existing trees or established hedges and introduce new planting wherever possible.
- Pedestrian visibility splays should be provided.
- There should be no water run-off from the forecourt onto the public highway

Whilst it is acknowledged some neighbouring properties have completely hard paved front gardens, this emphasises the harm that this type of development has on the character and appearance of the street scene. This is demonstrated by the below images, taken from the Design SPD (2021).



Hardstanding should be proportionate to the size of the dwelling and the relevant car parking standards and avoid paving over a significant amount of the forecourt.



Soft landscaped planted border along all boundaries should be provided in all spaces not specifically defined as parking or turning spaces. Introduce permeable paving to new areas of hardstanding to minimise rainwater run-off issues, as per the requirements of Permitted Development.

As indicated by the image on the right, hardstanding can be designed to be sympathetic to the existing dwelling and to integrate well with the surrounding area. However, this still would not overcome the proposed tarmac/hard paved crossover across the grass verge that forms part of this application.

Similar proposals for crossovers that would remove grass verges have been refused and then dismissed by the Planning Inspectorate at appeal stage. In appeal reference number APP/K2230/D/21/3288644 (37 Scott Road), the inspector stated that “grass verges are a feature which make a positive contribution to the spacious, open and suburban character and appearance of the locality” and “Together and amongst other things Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 (CS), require new development to be visually attractive, fit for purpose and that it should conserve and enhance the character of the local built environment. There should be no loss of biodiversity and opportunities to enhance, restore, re-create and maintain habitats will be sought.” Furthermore, the inspector stated “the proposal would unacceptably harm the character and appearance of the host property and the street scene.” Another example is APP/K2230/D/21/3266269 (176 Livingstone Road), in which the inspector dismissed the appeal and stated “the proposal would have a harmful effect on the character and appearance of the host dwelling and the street scene.” In the report for appeal APP/K2230/D/19/3241135 (13 Harden Road), the inspector confirms “the soft landscaping forms a verdant character and appearance to the street scene. Overall, the grass verge is a characteristic feature of Harden Road which gives a strong sense of local distinctiveness and uniformity” and “the black tarmac would contrast undesirably with the appealing view the grass verge provides creating a discordant feature that would harmfully erode the verdant character and appearance of the area.” Although the above appeals are not in the vicinity of this application site, the above appeal decisions highlight the importance of having soft landscaping within the frontage of properties and also the significance of the grass verge, and how these features contribute to the visual appeal of the local area.

The proposed development results in the loss of the grass verge, attractive front garden, wall and gate and would involve the formation of a disproportionate hard paved driveway that covers the entire front garden and will have a detrimental impact on the character of the property and appearance of the street scene. The application lacks any form of soft landscaping and as such the proposal fails to accord with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2021.)

Amenity of Future Occupiers

The proposal would provide off-street parking for one vehicle. Therefore, the proposed development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 (NPPF) (2021).

Neighbouring Amenity

The proposal is unlikely to result in a sense of enclosure, loss of light, loss of privacy or impact the outlook of neighbouring properties. Therefore, the proposed development is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 (LPCS) and Section 12 (NPPF) (2021).

Highways and Parking

The proposed front garden plan indicates there would be enough space to park one car, with an overall depth of 8.78m and a width of 6.90m.

This space, in addition to the existing single garage adheres to SPG 4 - KCC Parking Standards (2006) which sets out a maximum parking provision of 2 spaces for a 3 bedroomed property. The proposal would therefore adhere to the guidance in terms of parking provision.

As highlighted by the Highways Officer and as per the Design SPG (2021), pedestrian/vehicle visibility splays should be provided as part of the application and in this case, none were provided. It is noted there are existing bushes on the land adjacent to the property which cannot be controlled as part of the application and could be problematic for highway safety. Kent County Council's vehicle crossing guidance (2018) and the Department for Transport's Manual for Streets (2009) state that pedestrian visibility splays should be 2m x 2m and should not be obstructed above a height of 600mm. In this case the bushes on the boundary seem to exceed this height and as this obstruction is not within the ownership of the applicant cannot be controlled by way of planning condition. As such, the driveway would provide substandard and unacceptable pedestrian visibility splays and represents a risk to safety contrary to Policy CS11 (Transport) (LPCS), saved Policies P3 and T5 of Gravesham's Local Plan First Review (LPFR) (1994), SPG 6: Planning Policy for Vehicular Accesses to Classified Highways (2009), Manual for Streets (2007) and Kent County Council vehicle crossing guidance (2018).

The vehicular visibility splays are not considered to be impacted by the matter raised above due to the set back of the property from the edge of the carriageway which would increase the sightlines when egressing from the drive.

Gravesham's Highways Officer raised concerns with drainage/soakaway issues, however these could be addressed by conditions and therefore would not constitute a reason for refusal.

Any Other Material Planning Considerations

Archaeology

The site lies within an area of archaeological potential. However, the development will be unlikely to have any archaeological impact.

Impact on Biodiversity

The proposal would clear all soft landscaping from the frontage, including a grass area and established planting. This is contrary to Section 15 of the NPPF (2021), which states that developments should result in a biodiversity net gain. The proposed development would result in a biodiversity net loss which would be contrary to local and national planning policy.

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The proposed vehicular access over grass verge would have a detrimental effect on the character and appearance of the street scene by forming a hard paved/tarmac access which would interrupt the grass verge and cause an adverse impact on the visual appearance of the surrounding area. Additionally, the development would include removal of the front gate, most of the front boundary wall and involve hard paving the entire frontage of the property, resulting in the loss of an attractive garden area with no provision for soft landscaping. Moreover, there would be a detrimental impact to the street scene as evidenced by some surrounding properties that have carried out similar development which has negatively impacted the

characterisation of the local area. As such, the development is contrary to Gravesham's Design Guidance SPD (2021), Policy CS19 (LPCS) and Section 12 NPPF (2021).

The proposed driveway fails to provide acceptable pedestrian visibility splays and therefore increases the risk to pedestrian safety, contrary to Policy CS11 (LPCS), saved Policies P3 and T5 of Gravesham's Local Plan First Review (LPFR) (1994), SPG 6: Planning Policy for Vehicular Accesses to Classified Highways (2009), Manual for Streets (2007) and Kent County Council vehicle crossing guidance (2018).

Lastly, the proposed development fails to provide any biodiversity opportunity, with the removal of all soft landscaping from the frontage contrary to Policy CS12 (LPCS) and Section 15 NPPF (2021).

As such, it is recommended that the application is refused.

Recommendation

Refusal

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

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	2 nd September 2022	Dated:	5th September 2022