



Delegated Report

Householder Planning Application

Planning Application No: 20240121

Location: 97 Vale Road Northfleet Gravesend Kent

Description: Erection of a single storey side extension with the creation of the new front vehicle crossover with engineering operations to alter front land levels and a new front balcony.

Applicant: Mr Linas Simkevicius

Site Visit Date: 21st March 2024

Submitted Documents/Plans

Planning Application Form;
Drawing No. 987 -01.100 Rev 1 – Existing Ground Floor Plan;
Drawing No. 97 -01.100P Rev 1 – Proposed Ground Floor Plan;
Drawing No. 97 -01.1001 Rev 2 – Location Plan;
Drawing No. 97 -01.1002 Rev 1 – Existing Site Plan;
Drawing No. 987 -01.102P Rev 2 – Proposed Site Plan;
Drawing No. 987 -02.200P Rev 1 – Proposed Front Elevation;
Drawing No. 987 -02.203P Rev 2 – Proposed Side Elevation;
Drawing No. 987 -02.200P Rev 1 – Proposed Front Elevation;
Drawing No. 987 -02.201 Rev 1 – Existing Rear Elevation;
Drawing No. 97 -02.201P Rev 1 – Proposed Rear Elevation;
Drawing No. 97 -02.203 Rev 1 – Existing Side Elevation;
Drawing No. 987 -03.301 Rev 1 – Section;
Drawing No. 987 -03.303P Rev 1 – Proposed Section View; and
Drawing No. 97 -04.400P Rev 1 – Front Passage.

Relevant Planning History

Reference	Description	Decision	Decision Date
20230765	Erection of a single side and front extension with engineering works to create a front driveway with vehicular access.	Refused	20.09.2023
20080870	Construction of vehicular access on to a classified road.	Permission	30.10.2008
20070160	Construction of vehicular access onto a classified road with parking bay under bay window of dwelling.	Permission	13.04.2007
20060921	Construction of vehicular access on to a classified road.	Refused	21.12.2006
19980093	Formation of a vehicular access onto a classified road and laying out of hardstanding/turning area in the rear garden.	Permission	22.04.1998

19880829	Erection of detached two storey dwelling & formation of joint vehicular access with provision of two garages & parking spaces at the rear	Refused	28.10.1988
19880180	Outline application for residential dwelling in the side garden and formation of a joint access with 97 Vale Road onto a classified road.	Withdrawn	28.10.1988

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
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-designed and Beautiful Places

Supplementary Planning Guidance

- 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)
- Kent Design Guide Review: Interim Guidance Note 3 Residential Parking (2008)
- Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

GBC Highways Officer

This application is complicated by the distinct lack of any formal planning policy or guidance. There being only SPG4 issued by Kent County Council as adopted policy, whilst everything else is informal.

The proposal involves the undercutting of the front of the dwelling in the form of a balcony which will

therefore have to be supported and as such I assume will be subject to Building Regulations. Consideration is therefore limited to the access and the driveway.

1. The driveway will be formed by a permeable surface and providing this is of the bound variety will be acceptable.
2. It is noted that the proposal only provides a 2 metre headroom under the building and this is a matter of concern. A current Range Rover has a height of 1.870metres, so whilst the vehicle could be accommodated there is limited clearance. Also, with such a low height there must be a question if hatch backs and estate cars can have their rear doors opened, whilst parked, which would encourage driving on to the drive in forward gear, which makes the exit more hazardous.

My suggestion would be with the balcony the proposal is unacceptable, the removal of the balcony considerably reduces the depth of the height restriction and makes the arrangement more acceptable and I would raise no objections, as the majority of vehicles could probably be reversed onto the drive with sufficient space to open the rear hatchback door.

KCC – Highways and Transportation

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters :-

It is noted that the proposals have been revised from the previous application for this location. The driveway will now provide a parallel parking space for one vehicle. Kent County Council's residential dropped kerb guidance advises that the driveway should measure a minimum of 6m in width by 3m in depth, to provide a parallel parking space. There is therefore sufficient room to provide this and I am satisfied that providing a parallel parking space will ensure that a vehicle will not overhang the footway when parked on the driveway.

The pedestrian visibility splays have been drawn incorrectly on the submitted plans, as the splays should be contained within the boundary of the site. However, I am satisfied that 1.5m x 1.5m pedestrian visibility splays can be achieved and these should be conditioned.

Please advise the applicant that they will require the separate consent of KCC Highways Vehicle Crossing Team, for the construction of the vehicle crossover within the public highway. The applicant should note that they will require 6 drops and 2 tapers for a parallel parking space, to ensure there is sufficient room to safely manoeuvre on and off the driveway.

Subject to the above and provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-
Provision and maintenance of 1.5m x 1.5m pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6m above footway level, prior to the use of the site commencing.
Use of a bound surface for the first 5 metres of the access from the edge of the highway.
Provision of measures to prevent the discharge of surface water onto the highway.
Provision and permanent retention of the vehicle parking space shown on the proposed plans prior to the use of the site commencing.

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Neighbouring properties

The application was publicised to 7 neighbouring properties by letter. No representations have been received. The overall consultation period expired on 18th March 2024.

Officer's Analysis

Background

The previous application for the erection of a single side and front extension with engineering works to create a front driveway with vehicular access under planning reference 20230765, was refused for the following reasons:

1. *There is insufficient depth in the front garden for a vehicle to park at right angles to the kerb line. Kent Design Guide recommends a minimum depth of 4.8 metres between the back of footway and the front of the property / wall while the Council's Planning Policy for vehicular accesses to classified highways (Planning Guidance Note No 6) and adopted KCC Parking Standards indicates that there should be a minimum depth of 5.0 metres available from the rear edge of the highway or path, to ensure a car can be parked wholly off the road (increased to 5.5 metres where the driveway leads to a garage door).*

It is therefore considered that the proposed vehicular access would disrupt free-flowing traffic on Vale Road which is a classified highway and would be detrimental to the safety of all road users. As such, it is not considered that the proposal would be in keeping with Policy CS11 of the Gravesham Local Plan Core Strategy September 2014, Saved Policies P3 and T5 of the Gravesham Local Plan First Review November 1994, and the guidance set out in SPG 4: Kent Vehicle Parking Standards (July 2006), Kent Design Guide and the Council's Planning Policy for vehicular accesses to classified highways (Planning Guidance Note No 6).

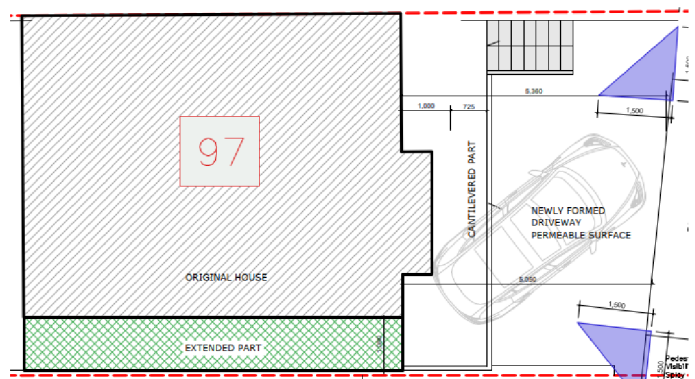
2. *The development would result in a highly incongruous dwelling that lacks character and would result in overdevelopment of the property. In addition, the proposal is unsympathetic to the original dwelling and would be contrary to the character and appearance of the area. As such the development would be contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2023).*

The single storey front extension has been removed from the proposal, with only the single storey side remaining and the proposed parking layout has been amended as can be seen from the following comparisons:

Refused Proposal (20230765)



Current Proposal



Design, Character and Appearance

Paragraph 130 of the National Planning Policy Framework 2023 (NPPF) sets out various design requirements and includes the need for the development to add to the overall quality of an area; be visually attractive; and be sympathetic to local character, including the surrounding built environment. Paragraph 134 of the NPPF 2023 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

In relation to side extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that care is needed when considering the relationship between the proposal and the boundary with the neighbouring property, the separation between properties is only such that the side entrance for No. 95 would be the only gap between the properties and there would be no external side access for the application property on either side. In addition, side extensions should appear subservient to the original building; be no greater than half the width of the original building; incorporate roof designs to reflect the main roof; and window designs and proportions to reflect those existing and local character.

The application property is a detached, two storey dwelling located in a residential area. Whilst the proposed side extension would remove the external side access, there is sufficient space between both adjacent properties that retains a visual gap and therefore there is no objection in this regard.



The proposed development also comprises of the erection of a balcony to the front at the ground floor level which would sit above the proposed parking area. This would create a new feature to the streetscene which is relatively uniform and would look at odds within the property setting. As such, it is considered that the front balcony would be an incongruous development that would look at odds with the property, the streetscene as a whole and would not improve the visual amenity of the area

The parking area would result in the excavation of the whole front garden and removal of the front boundary wall. The boundary walls and elevated gardens are a common feature in the streetscene, however there can be seen examples of similar developments within the streetscene where the gardens have been excavated. The loss of the soft landscaping of the lawn area is regrettable, but it would be difficult to object to the parking area due to similar developments being present. No. 99 Valie Road was refused permission for a driveway due to inadequate access, so while the garden has been excavated, the area cannot be used for parking.

Overall, it is considered that the proposed front balcony would introduce a new feature to the streetscene

which would be out of character and incongruous to the host dwelling and streetscene as a whole. As such, the proposal would undermine the visual amenities of the host building and the surrounding area and would be inconsistent with the guidance set out in the Householder Extensions/Alterations Design Guide (2021) and contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 130 of the NPPF 2023.

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants. In this regard, the Nationally Described Space Standards (NDSS) and the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The proposal would not result in a detrimental impact on the occupiers of the host dwelling and as such, the proposal would not be detrimental to residential amenity and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers. In this regard, the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The proposal would not result in a detrimental impact on the adjacent neighbours due to the distance between the properties and modest nature of the side extension and relationship to neighbouring windows.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Parking and Highways

Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994 require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

The revised parking layout are deemed acceptable from both the GBC Highways Officer and KCC Highways and Transportation. The parallel parking arrangement would avoid any vehicles overhanging the footpath and whilst not shown on the plans, it would appear that there would be adequate vision splays.

Overall, it is considered that the proposed development would make sufficient provision and would have no adverse impacts to highway safety. As such, it is considered that the previous reason for refusal has been overcome. Therefore, the proposal would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Policy P3 of the Gravesham Local Plan First Review November 1994.

Conclusion & Recommendation

The proposed front balcony would introduce a new feature, would be inappropriate in design, out of character with the existing building and detrimental to the visual amenities of the street scene. As such, the proposal would undermine the visual amenities of the host building and the surrounding area and would be inconsistent with the guidance set out in the Householder Extensions/Alterations Design Guide (2021) and contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 130 of the NPPF 2023.

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

Case Officer:	Ms Amanda Cue	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	22 nd April 2024	Dated:	22 April 2024