



Delegated Report

Householder Planning Application

Application No:	20211491
Location:	43 Nursery Grove, Gravesend, Kent, DA11 7BB
Description:	Creation of a vehicle access, hardstanding and extended vehicle crossover.
Applicant:	Mr Oketunji
Site Visit:	N/A Desktop Assessment

Submitted Documents/Plans

Application Form - dated 02/12/2021;
Drawing no. 01 - Existing and Proposed Block Plans;
Drawing no. 02 - Existing and Proposed Elevations and Section;
Drawing no. 03 - Site Location Plan (scale 1:1250).

Relevant Planning History

Application No.	Description	Status	Decision
20120992	Details pursuant to conditions 1 and 24 of the original outline planning permission reference number 20040814 for residential development and for community uses, condition 13 of the subsequent reserved matters approval for phase 2 and 3 of planning permission reference number 20070516 as amended by condition 2 of condition of variation approval reference number 20100044 and as further amended by condition 13 of reserved matters approval for phase 2 and 3 reference number 20111101 and being for access, appearance, landscaping, layout and scale of sports changing facilities building with associated car parking.	PERMITTED	12.03.2013
20060337	Details relating to the siting, design, external appearance and landscaping for phase 1 of the development.	APPROVAL OF DETAILS	07.08.2007
20040814	Outline application for residential	PERMITTED	01.08.2005

development for up to 210 residential units and for community uses including nursery, open space with changing facilities and car parking; alterations to existing access to Singlewell Road between numbers 306 and 322 Singlewell Road; use of vehicular access from Cedar Avenue to provide access to recreational facilities.

Planning History Note

The proposed development requires planning permission due to a condition attached to planning permission ref. 20060337. Condition 4 attached the decision notice removed permitted development rights and restricted the formation of any new hardstanding without approval by the Local Planning Authority. The condition states:

4. *Notwithstanding the provisions of Article 3 of and Part 1 Class f, and Part 2 Classes A and B of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 as amended, no additional hard surface for the purpose of parking a motor car, no additional means of access to a highway and no erection, construction or alteration to a gate, fence or other means of enclosure beyond that shown on the approved drawing no 05-937 PL(00) 03 rev C shall be carried out without the prior written permission of the Local Planning Authority having first been obtained.*

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
- T5 - New Accesses onto Highway Network

Saved Policy P3 indicates that development will be expected to make provision for vehicle parking in accordance with the KCC Vehicle Parking Standards.

Policy T5 requires that 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.

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)

- Section 2 - Achieving Sustainable Development
- Section 9 - Promoting Sustainable Transport
- Section 12 - Achieving Well-Designed Places
- Section 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;
- SPG 4 - KCC Parking Standards (2006)

Any Other Supplementary Planning Guidance

- Kent County Council Vehicle Crossing: - Guidance and Self Assessment (2018)

Consultations, Publicity and Representations

Consultees

KCC - Highways and Transportation - the proposed development does not meet the consultation protocol agreements of KCC Highways. However, if minded to permit the application the relevant highway informatives should be attached to the decision notice.

GBC - Highways Officer - This application raises some concerns, Kent County Council guidance is when a parking space is in front of a front door, the length of the space should be a minimum of 6 metres to provide reasonable pedestrian access to the door, particularly in case of emergency. Here the depth of the garden is only some 5.7 metres long, which risks either compromising the access or having a vehicle overhanging the footway.

In addition, I note two options are given regarding disposal of surface water, as it is not possible to have a soakaway within 5 metres of a highway or a building due to the requirements of building regulations, so a permeable paving solution should be used.

The applicant should also note that any alterations to any utility apparatus due to the works will have to be funded by them.

My recommendation is that the applicant should review their proposal and consider only providing a hard standing for a single vehicle. However, I have no reason to object to the front garden being hard paved in a permeable material and the matter of the carriage crossover to serve parking space(s) is a matter for Kent County Council as Highway Authority.

Neighbouring properties

A notice was displayed on site 16th December 2021.

In addition, sixteen surrounding properties were consulted and no representations were received. The consultation period expired 7th January 2022.

Officer's Analysis

43 Nursery Grove is a two storey semi-detached property located on the northern side of the highway. The property is adjacent to a vehicular access to a car parking area serving the flats in Tutton House. There is an allocated parking space for no.43 on this access road, parallel with the flank wall of the property (see image below).



The property is setback from the footway and has a front garden which is predominantly made up for grass lawn, with a block-paved pathway to the door. This front garden area is significantly larger than other frontages within the estate, with many other properties frontages being planned parking areas, as such the grass lawn is considered to positively benefit the visual appearance of the estate.

Design, Character and Appearance

This application proposes the formation of a vehicular crossover and hardstanding over the front garden. The hardstanding will be block paving and will cover the majority of the properties frontage, with a width of 6.35m and a depth of 6.11m.

The applicant benefits from a dedicated parking space adjacent to the property. The position of this parking space is planned as such to retain an area of soft landscaping on the street scene. The wider estate has been carefully designed to balance hard and soft landscaped spaces, to avoid an over dominance of vehicular parking, whilst providing dedicated planned for parking provision, as well as some kerbside capacity. Therefore, the proposed development would undermine this balance and therefore harm the character and appearance of the host property and wider area.

The proposed development would introduce a majority hardstanding in the front garden area whereas currently it aligns with its immediate neighbouring context, and is mostly soft landscape. No noteworthy soft landscaping offsetting or biodiversity is proposed as part of this application, and as such it results in a net-loss of biodiversity contrary to guidance within Section 15 of the National Planning Policy Framework (NPPF) (2021).

Overall, even though some soft landscaping is to be retained, the proposed hardstanding for use as a driveway will result in a loss of green space on Nursery Grove and will thus have a harmful impact on the character and appearance of the street scene. It also results in a loss of biodiversity and is contrary to Policies CS12 (Green Infrastructure) and CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) as well as Sections 12 (Achieving well-designed places) and 15 (Conserving and Enhancing the Natural Environment) (NPPF).

Amenity of Future Occupiers

The proposed development will provide an off road parking space in front of the property. However, the property has an allocated parking space opposite, which is considered an acceptable allocation and in accordance with Kent County Councils parking standards (SPG 4). It is also noted that informal parking is common on the street.

Therefore, it is considered that the amenity of future occupiers is already safeguarded by the allocated space and available informal parking within the housing estate, in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Neighbouring Amenity

The development will not cause material harm to the amenity of any adjoining properties. As such, the proposal is in accordance with Policy CS19 (LPCS) and Section 12 (NPPF) by virtue of safeguarding the amenity of surrounding properties.

Parking and Highways

The proposed driveway is in accordance with Kent County Council's parking standards (SPG 4) and is suitable in terms of dimensions to accommodate two vehicles. However, one of these spaces would be in front of the main access for the property. A self-assessment guidance on vehicle crossovers was released by Kent County Council (2016) which states that in front of an access the length of a space should be a minimum of 6 metres, in order to provide reasonable pedestrian access to the door, particularly in case of emergency. Given that the depth of the driveway is 6.1m, the parking spaces are considered to be just in accordance with the vehicle crossover guidance (2018).

The Highways Officer has not raised any objections to the development. The driveway will be formed using permeable materials, which mitigates against surface water runoff onto the highway.

Therefore, the proposed hardstanding for use as a driveway is acceptable in terms of highway policy and guidance.

Any Other Material Planning Considerations

Impact on Biodiversity - as aforementioned in this report, the proposed development will result in a loss of biodiversity. Section 15 (NPPF) states that developments should result in biodiversity net gain, which is not the case with this application. The applicant has failed to demonstrate how the loss of biodiversity will be offset and therefore the proposal should not be supported.

Conclusion

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

The proposed hardstanding will significantly reduce the soft landscaping within the front garden, which positively contributes to the character and appearance of both the property and wider housing estate. Additionally the driveway will result in a loss of soft landscaping in a location where there is a distinct lack of green space and biodiversity. Therefore, the development is contrary to Policies CS12 and CS19 (LPCS) as well as Sections 12 and 15 (NPPF).

As such it is recommended that planning permission is refused.

Recommendation

Refusal

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

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:	<i>Ethan Bonthron</i>	Signed:	<i>R Hart</i>
Dated:	24 th January 2022	Dated:	24 th January 2022

Gravesham Borough Council