

Supporting statement – 1 Nasen Road DA12 5DA

Preface

A pre application was made as agreed by email with Ian Brown in December. The history does not need repeating, the applicant seeks an agreed solution. The pre app attached alternative plans showed revisions to access/parking/landscaping. The pre app was negative. It claimed the applicant's plans did not propose reintroduction of sufficient soft landscaping/still has a significant amount of hard standing. Those plans were labelled to refer to either [1] reinforced grass paving or [2] wheel tracks with grass. The pre app response did not engage with these alternatives, regrettably.

Discussion

The LPA's informal guidance "Front driveway design guidance" of 2023 ['SPG'] acknowledges climate change requires front garden development, though the only reference to permitted development is footnote 1 and "Where planning is required" on pg3. Permitted development allows hard surfacing subject to conditions, which has seen a significant change in streetscape that is out of LPA control nationwide, which the SPG accepts on pg2. Drop kerb is a highway matter and in this case, KCC approval would be controlled by condition¹.

In this case permitted rights ['PDR'] might at first be considered irrelevant given the steep slope and the raised levels already built, but it is not. If enforcement action results in the restoration of the land, PDRs revive, steep slope surfacing would still result in the loss of greening/biodiversity even if parking were unrealistic. The problem here is not solely off-street EV charge point installation, but the fear of cars crashing into the house due to its frontage to the junction, a genuine fear – little imagination is needed. Bollards etc could be erected in the garden, not adjacent to the road, under PDR. This mix of built form would be a fall back the SPG prefers to avoid, setting out the LPA's views on how best to accommodate what is needed – a "flexible approach"². The pre app outcome showed no flexibility.

The considerations set out in the SPG on page 3 are complied with so far as is reasonably practical given the topography of the site, the attached plans showing wheel tracks with grass. The softening of visual appearance by landscaping and the use of wheel tracks³ is proportionate, there are no gates, pedestrian visibility is factored in, permeable materials to be used, drainage and no loose materials e.g. gravel. The proposed planting also abides the SPG.

It is considered that the previous visual contribution to character was extremely limited by virtue of the steep drop/hedge/walling – there was no front garden at a level open to public view. Consequently, the 'flexibility' the SPG assures, but not applied, must be reassessed. Provided it is "sympathetic" it will maintain that limited sense of place (pg6) and by creating a **better** place for people to live, that directly reflects the text of NPPG 131, sustainable by definition. It also abides NPPF 135a/b/c/d/e & f. There is genuine fear the house they live in will otherwise be unsafe. Vehicles have crashed through this wall numerous times. It will function well and add to overall quality of the area; it will be visually attractive abiding the SPG. It will be sympathetic and the council is effectively, to date, guilty of discouraging appropriate innovational change contrary to its SPG. The proposal will be welcoming to the place the applicants live their life and others, optimises the

¹ The drawings enclosed show compliant splay treatment

² Pg 2 para 5

³ SPG pg 11

potential of the land, it will be far safer and promote the health and well-being of the applicants. In turn that will result in a higher standard of amenity. People are entitled to improve the quality of their lives, the applicants have strived to resolve matters with the LPA and will reluctantly take the matter to appeal if they are rebuffed yet again.

Conclusion

It is hoped that an appeal can be avoided, but the applicant engaged with the LPA on an agreed basis and urges it to now take a pragmatic view and approve this scheme.