

Delegated Report

Householder Planning Application

Planning Application No: 20211170

Location: 25 Landseer Avenue Northfleet Gravesend Kent

Description: Creation of a vehicle access, crossover and off road parking.

Applicant: Mrs Angela Bowie

Site Visit Date: 13 May 2022

Submitted Documents/Plans

Householder Planning Application form;
Red line site boundary plan;
Drawing no. P-010 Rev. P1 Existing layout;
Drawing no. P-020 Rev. P1 Proposed layout;
Drawing no. P-030 Rev. P1 Existing and proposed elevations;
Existing block plan;
Proposed block plan;
2 x photographs; and
Email from the applicant dated 13 May 2022.

Relevant Planning History

None.

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
- T5 – Access to the Identified Highway Network
- TC7 – Other Archaeological Sites

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

Supplementary Planning Guidance

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

Consultations, Publicity and Representations

GBC - Highways Officer

This proposal requires very careful consideration as the proposed crossover is in close proximity to a bend in the road. This bend whilst possibly reducing speed makes the sight line requirement for the access intrusive in the front garden.

Either a sight line drawing needs to be submitted or for simplicity a condition imposed that restricts the height of any planting or landscaping in the front garden to 850mm within 5 metres of the highway, (not carriageway).

Manual for Streets would require a 43m x 2.4m x 43m sight line for a 30mph, although the bend may be capable of reducing speeds to some 25mph but this would need to be confirmed by a speed survey.

No surface water should discharge onto the highway and ideally a porous block paving should be used, although given the size of the garden a soakaway may be possible, but it must be at least 5 metres away from the highway or any building.

KCC - Heritage

No response received.

Kent County Council Highways and Transportation

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.

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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

National Highways

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Recommendation: No Objection:

Reasons

We will be concerned with proposals that have the potential to impact on the safe, reliable and efficient operation of the SRN, in this case, particularly the proposed route of the Lower Thames Crossing in the vicinity of Gravesend.

We have assessed the application from two perspectives

- a) Impact of traffic attracted to or generated by the proposed development. Given the location and small-scale nature of the potential development we have no objection from this perspective.
- b) Impact on the construction and/or operation and maintenance of Lower Thames Crossing. The site is located close to the current red-line boundary for the Lower Thames Crossing. However, if the site is developed it should not affect the Crossing's construction and/or operation and maintenance. Therefore, we have no objection from this perspective.

It should be noted that it is assumed that the applicant is fully aware of the proximity of the Lower Thames Crossing route to the site as will be any future investor, developer, purchaser or occupant and that any party will make any decision in full knowledge of the potential consequences of that proximity.

On this basis, we are content that the above proposed development will not unacceptably impact on the safety, reliability and/or operational efficiency of the current and proposed SRN (the tests set out in DfT C2/13 and MHCLG NPPF2021).

Consequently, we have No Objection to application 20211170.

Southern Gas Networks

No response received.

Lower Thames Crossing Project Team Highways

No response received.

Neighbouring properties

The application was publicised by a site notice and to nine neighbouring properties by letter. One representation has been received and is summarised as follows;

- No objection but queries impacts on the grassed area in front of the application site and requests further information.

Officer's Analysis

Design, Character and Appearance

The proposed development would have an urbanising impact on the setting of the dwelling and the general character of the local area. However, a significant area of landscaped front garden would be retained and at the site visit, it was observed that a number of properties in the vicinity have already converted their front gardens into off-street parking spaces.

The proposed facing materials for the hardstanding would match with the existing parking area at no. 2 Gainsborough Drive and would not be out of character with the existing dwelling or its surroundings.

Overall the proposed development would not have a significant adverse impact on the character and appearance of the locality and the proposal would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and the Householder Extensions/Alterations Design Guide SPD (2021).

Amenity of Future Occupiers

The proposed development would provide a new parking area for the application property, which would improve the standard of living for future occupiers and be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Neighbouring Amenity

The closest residential properties to the application site are no. 2 Gainsborough Drive and no. 27 Landseer Avenue (located to the north and south east respectively). No. 23 Landseer Avenue and no. 1 Gainsborough Drive are located to the west, across the roadway.

Due to the design of the proposed development and to the layout and orientation of the surrounding properties, there would be no adverse overshadowing or overbearing impacts to the occupiers of the surrounding dwellings.

The introduction of vehicle parking on the site frontage would increase the noise/disturbance and lighting impacts associated with the application site but in the context of this residential street, such impacts would not be significant and would not warrant a refusal of planning permission.

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

The proposed development would provide off road parking at the application site. The GBC Highways Officer has not raised an objection to the proposal but has highlighted the site's close proximity to a bend in the road and the specific sight line requirements for the access, to ensure pedestrian visibility. As these can be achieved without the need for a sight line drawing, it would not be necessary for such a submission. Therefore any planning permission granted can be conditioned to ensure that no planting, landscaping or boundary treatments above 850mm are located within five metres of the site frontage.

In addition, the GBC Highways Officer states that no surface water should discharge onto the highway and that a porous block paving should be used. Such materials are proposed and conditions can be attached to any planning permission granted, which ensure this and precludes the discharge of surface water onto the highway.

As such, the proposed development would not be detrimental to highway safety and would be in line with 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.

Any Other Material Planning Considerations

The application site is located within an area of multi-period archaeological potential, Groundwater Source Protection Zone 2, the Lower Thames Crossing (LTC) Safeguarding Zone and has two gas pipelines located within the site, at the frontage. National Highways have not raised an objection to the proposal in relation to the LTC and as the works would be relatively minor and would be located within the confines of an existing residential garden, it is considered that there would be no adverse impacts to archaeology, groundwater, gas infrastructure or to the route or operation of the LTC. The applicant should be made aware of the gas pipelines via an informative on any planning permission granted.

The concerns raised by a local resident are summarised and commented upon below;

- No objection but queries impacts on the grassed area in front of the application site and requests further information – the case officer has explained via an email that the proposed development would be located entirely within the application site and as such, would not affect the grassed area. A link to the application details and an extract from the proposed layout plan was also provided.

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Provide a vehicle crossover prior to first use of hardstanding

No planting, landscaping or boundary treatment that exceeds 850mm in height within five metres of the front boundary of the application site

No discharge of surface water onto the highway

Conclusion & Recommendation

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
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Signed:	K Joyce	Signed:	
Dated:	29th June 2022	Dated:	29 June 2022

Gravesham Borough Council