



Delegated Report

Householder Planning Application

Planning Application No: 20240966

Location: 67 St Hildas Way Gravesend Kent DA12 4AZ

Description: Formation of a vehicular access, engineering operation, including new steps and new retaining wall, to facilitate hardstanding area.

Applicant: Miss Fiona Bollen

Site Visit Date: N/A recent previous site visit undertaken

Submitted Documents/Plans

Application Form;
Supplementary Information – Planning Statement;
Supplementary Information – Photos – Existing;
Supplementary Information – Visualisations – Proposed;
Drawing No. 0190-EAG-00-00-DR-V-101 Rev. P01 – Site Location and Block Plan – Existing;
Drawing No. 0190-EAG-00-00-DR-V-102 Rev. P02 – Site Layout Plan – Existing;
Drawing No. 0190-EAG-00-00-DR-V-103 Rev. P01 – Site Layout Plan – Proposed;
Drawing No. 0190-EAG-00-00-DR-V-104 Rev. P01 – Visibility Splays – Proposed;
Drawing No. 0190-EAG-00-00-DR-V-201 Rev. P01 – Street Scene – Existing and Proposed;
Drawing No. 0190-EAG-00-00-DR-V-301 Rev. P01 – Sections A-A – Existing and Proposed;
Drawing No. 0190-EAG-00-00-DR-V-302 Rev. P01 – Sections B-B – Existing and Proposed; and
Drawing No. 0190-EAG-00-00-DR-V-303 Rev. P01 – Sections C-C – Existing and Proposed.

Relevant Planning History

Reference	Description	Decision	Decision Date
20240734	Formation of a vehicular access, engineering operation, including new steps and new retaining wall, to facilitate hardstanding area.	Refused	10.10.2024

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T5 – Access to the Identified Highway Network

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 9 – Promoting sustainable transport
- Section 12 – Achieving Well-Designed and Beautiful Places

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)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)

Other Relevant Guidance

- Kent County Council Dropped Kerb Guidance and Self-Assessment (2023)
- Gravesham Driveway Dropped Kerb Guidance (Informal Guidance) (2023)
- Gravesham Front Driveway Design Guidance (Informal Guidance) (2023)

Consultations, Publicity and Representations

Consultees

Local Ward Councillors

No comments received.

KCC 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.

It is important to note that Local Planning Authority (LPA) 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 LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, 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 and near the highway 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 pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

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. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, 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.

Further 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.

Neighbouring properties

Six surrounding properties were consulted, a site notice was displayed on 07.11.24 and no responses were received. The overall consultation period expired on 29.11.24.

Preliminary Matters

This application follows application reference number 20240734 for the formation of a vehicular access, engineering operation, including new steps and new retaining wall, to facilitate hardstanding area. The application was refused on the following grounds:

1. The proposed development is considered to be of poor design, resulting in the loss of the grass lawn established hedging and dwarf wall, with its replacement including a large expanse of hard landscaping, which is considered to be detrimental to the character and appearance of the existing dwellinghouse and street scene. As such, the proposal would be contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (2023).

2. Overall, the proposal would result in a substandard parking area, contrary to SPG 4 - KCC Parking Standards (2006) and Gravesham's Householder Extensions/Alterations Design Guide (2021). In addition, the plans fail to demonstrate sufficient visibility splays in the interest of highways safety and is therefore contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 9 of the National Planning Policy Framework (NPPF) (2023).

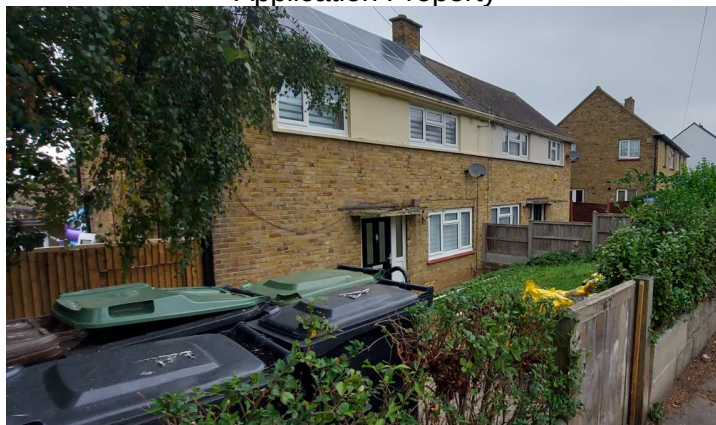
It therefore stands to be considered whether this current application overcomes the previous grounds of refusal.

Site Description

67 St Hildas Way is a two storey semi-detached property fronting the north-westerly side of St Hildas Way. Properties in the immediate vicinity, on this side of the road, are set down from the highway.

Previous Site Photos

Application Property

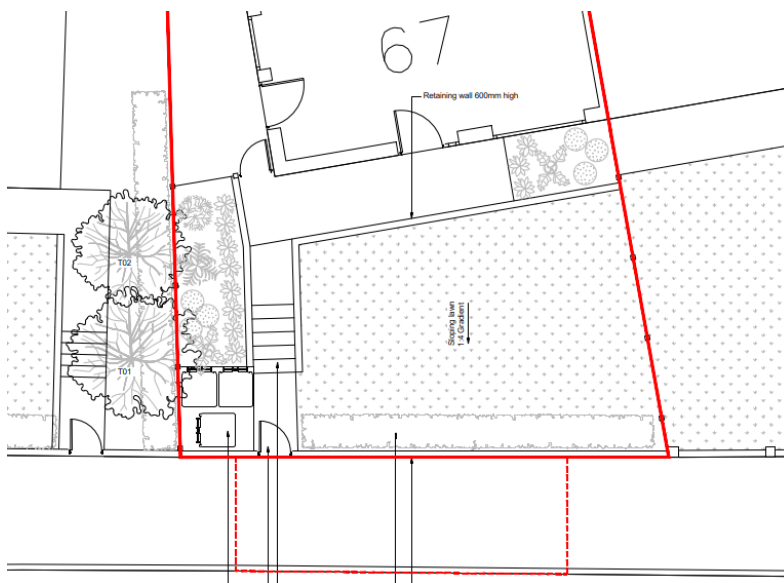


This application proposes the formation of a vehicular access, including an engineering operation, new steps and new retaining wall, to facilitate a hardstanding area.

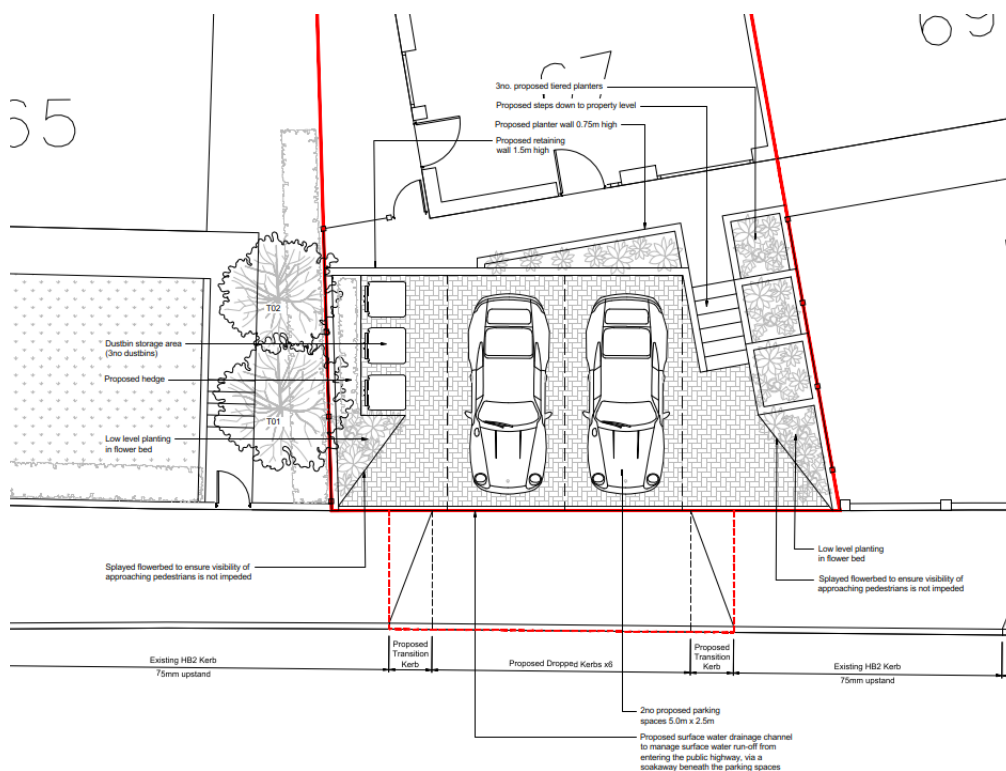
Proposed Development

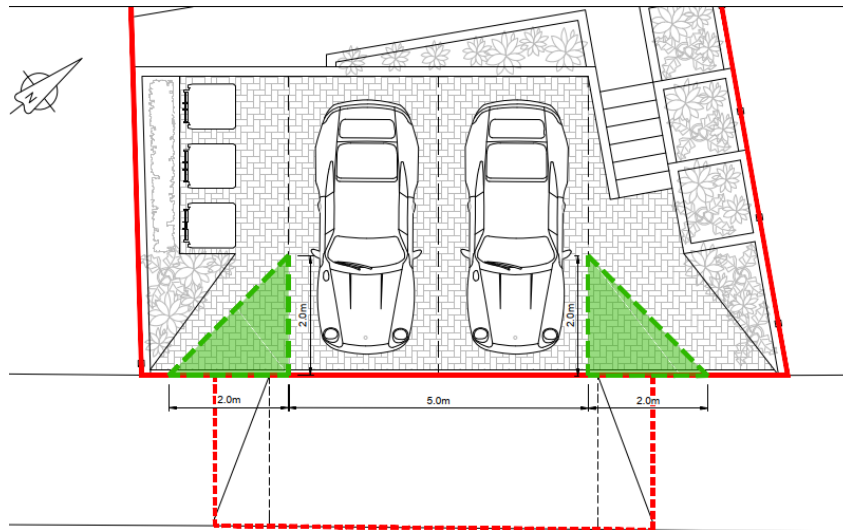
The plans indicate development would create space for two cars and proposes to include three tiered planters, along with additional planting and a space for the bins. The existing grass lawn, hedging and dwarf wall would be lost as a result of the development.

Existing Site Plan

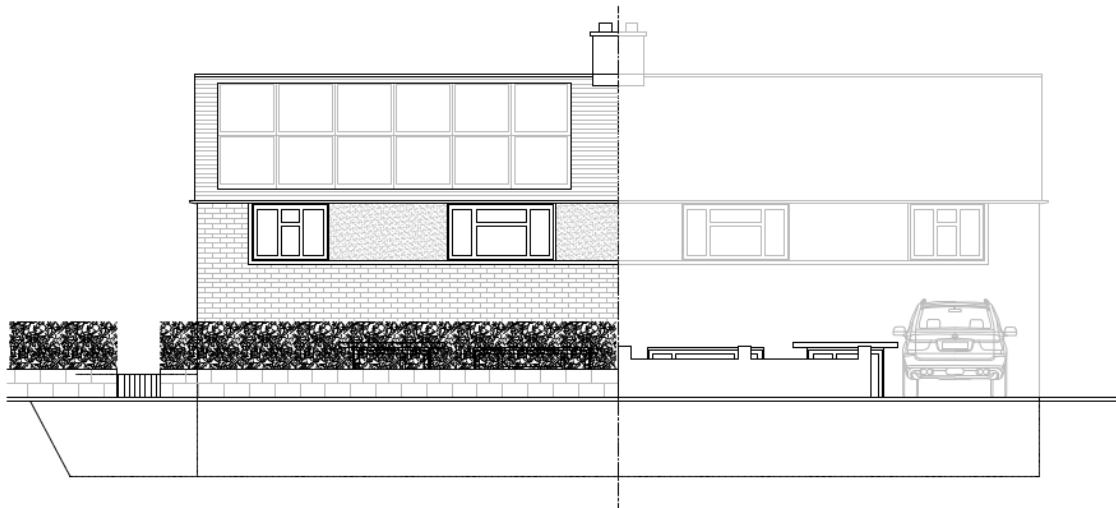


Proposed Site Plan

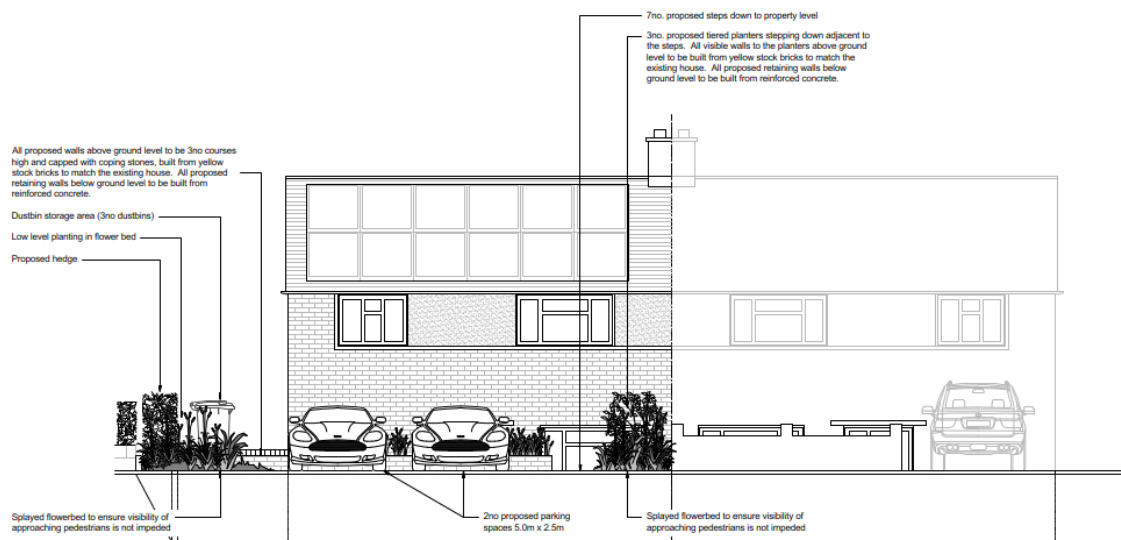




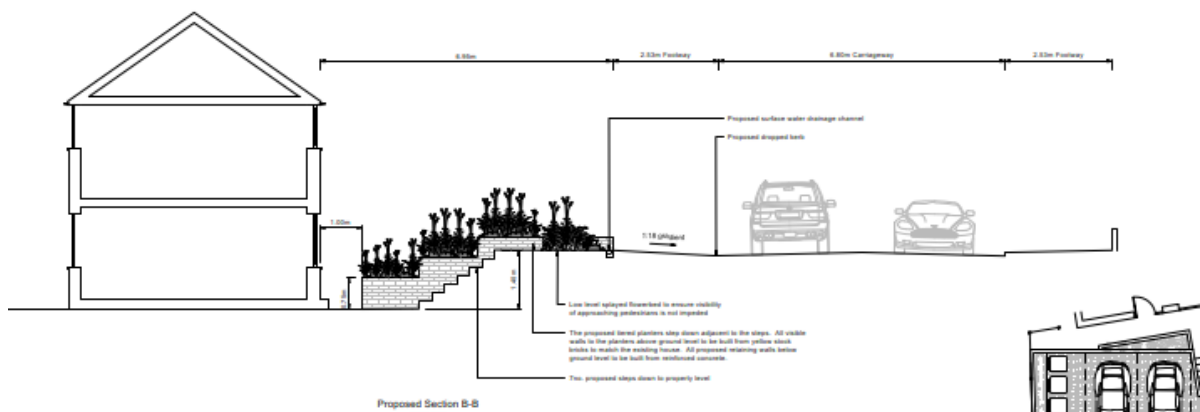
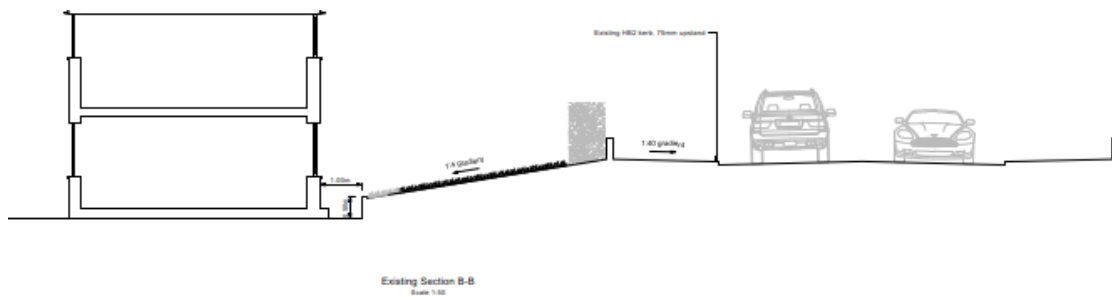
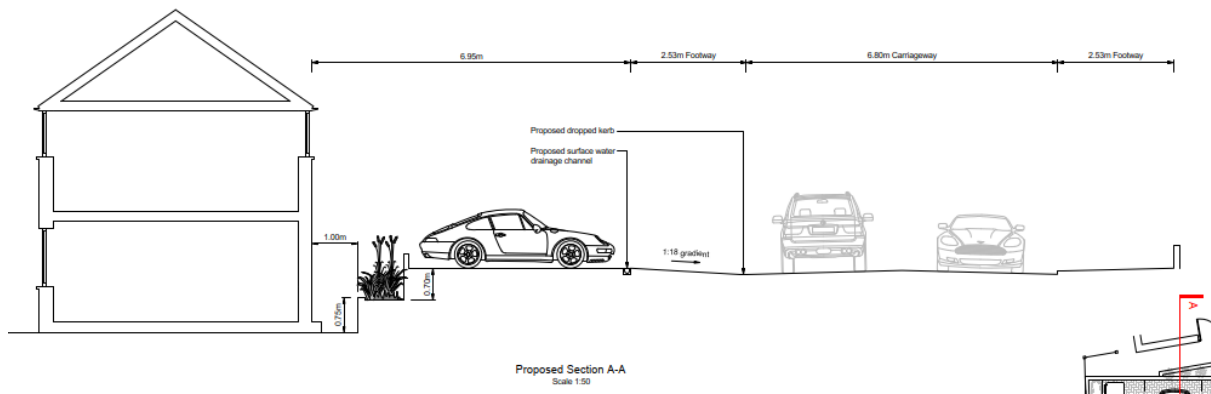
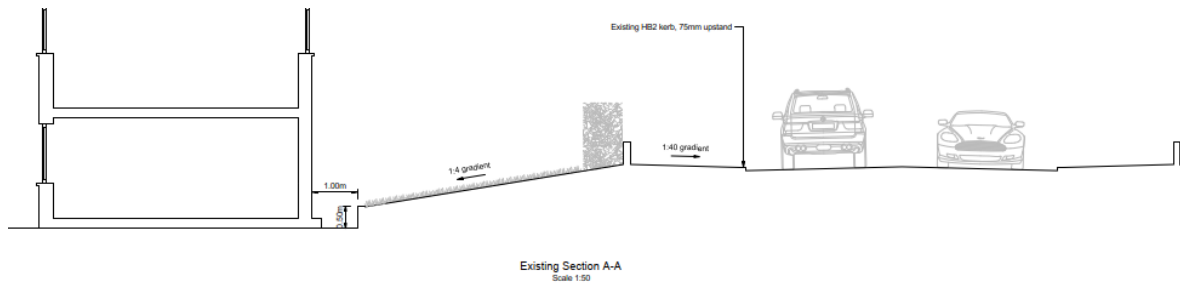
Pedestrian Visibility Splay
Scale 1:50



Existing Street Scene
Scale 1:50



Proposed Street Scene
Scale 1:50



Officer's Analysis

Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well-designed and beautiful places) of the NPPF (2023) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character. Paragraph 139 Of the NPPF (2023) states; '*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design*'.

Gravesham's Householder Extensions/Alterations Design Guidance (SPD) (2021) states *it is important to ensure that any extensions or alterations to a home are well designed, well-built and sympathetic to their surroundings. By doing so we can ensure that there are no adverse effects on the original house, immediate neighbours, the local view of the street, as well as the character and appearance of the local area.*

The development includes engineering operations and as such, planning permission is required for the development. There are properties along St Hildas Way that have altered front gardens to hardstanding areas for vehicular parking. Some of these works have been carried out without planning permission being granted. Gardens that have not been altered and retain soft landscaped frontages make a positive contribution to the character and appearance of the area, whereas poorly designed hardstanding areas, with little or no soft landscaping have a negative impact on the appearance of the area. It is however evident that in general, vehicular crossovers and hardstanding areas do form part of the character of the street scene. As such, the principle of carrying out of engineering operations to facilitate a hardstanding area, in this location could be acceptable, providing the design accords with policy and guidance.

Gravesham's Design SPD (2021) sets out the Design expectations for front gardens and parking within the Borough.

Front Gardens & Parking

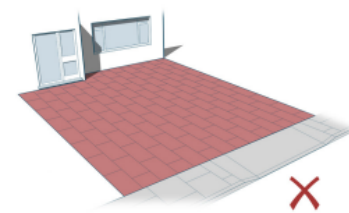
10.21 The laying of hard surfaces to the front gardens of houses often do not require planning permission. More advice is available on our website here: <https://www.gravesham.gov.uk/home/parking-and-roads/dropped-kerbs/overview>

Where planning permission is required, account will be taken of the need for additional off road parking provision and the following considerations will apply:

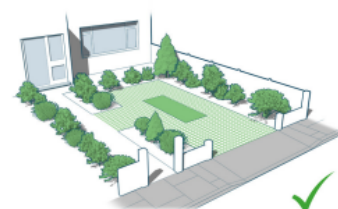
- Hardstanding should be proportionate to the size of the dwelling and the relevant car parking standards and avoid paving over a significant amount of the forecourt. Soft landscaped planted border along all boundaries should be provided in all spaces not specifically defined as parking or turning spaces.
- Allow sufficient space between the car and the dwelling to allow access to the front door and side of the property. 1 metre should be the minimum space between or around car parking spaces.

- Front garden parking must be designed to avoid cars overhanging the pavement. Car parking spaces a minimum of 2.5m wide (2.7m where spaces adjoin an enclosed boundary) and 5m deep should be provided.
- Should not include gates. Where gates already exist, they must not open outwards and should allow enough space for them to be opened inwardly (if relevant) whilst a car is parked.
- Gates should enable a pedestrian on the footway to have clear visibility of any vehicle exiting (i.e. they should be railings or have some form of transparency) and should not be of a height that blocks visibility of passing pedestrians and should enable visibility from the footway.
- Avoid removing any existing trees or established hedges and introduce new planting wherever possible.
- Introduce permeable paving to new areas of hardstanding to minimise rainwater run-off issues, as per the requirements of Permitted Development.
- There should be no water run-off from the forecourt onto the public highway.
- Where loose surfacing is proposed, a minimum of 1m depth of non-loose hardstanding should be provided at the front edge of the driveway with the public highway
- Repair or restore any original decorative tiled paths that are a characteristic or historic feature of the existing dwelling.
- Pedestrian and vehicle visibility splays should be provided. (See Appendix 1)

10.22 Aside from the potential need to gain planning permission if a new dropped kerb and crossover is required, applicants must apply for and obtain consent via the relevant landowner (if crossing private / third party land, such as amenity strips) as well as the highway authority.



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.

The revised plans provided for this application are considered to be an improvement on the previous submission. The number of parking spaces have been reduced, allowing for layout changes, including relocation of the bin area (which would be partially screened from view) and additional planting to soften the development. In addition, the visible brickwork would be yellow stock bricks to match the existing dwelling.

4. LANDSCAPE STRATEGY

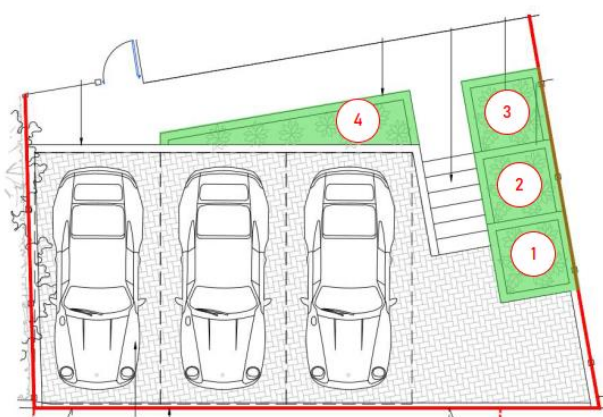


Figure 5: Proposed layout in Refused application showing four raised planters, deemed by Gravesham to be too few in proportion to the hard landscaping

REFUSED LAYOUT

- 1 Raised planter, 1.0m x 1.2m x 0.3m high min, 0.48m max.
- 2 Raised planter, 1.0m x 1.2m x 0.3m high min, 0.48m max
- 3 Raised planter, 1.0m x 1.2m x 0.3m high min, 0.75m max
- 4 Raised planter, 0.2m wide min, 1.0m max, x 4.5m x 0.75m high

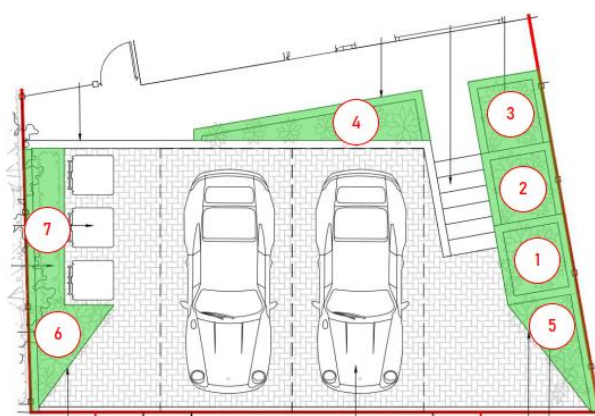


Figure 6: Proposed layout in current application showing additional planting to reduce the large expanse of block paving and soften the design with strategic planting.

CURRENT LAYOUT

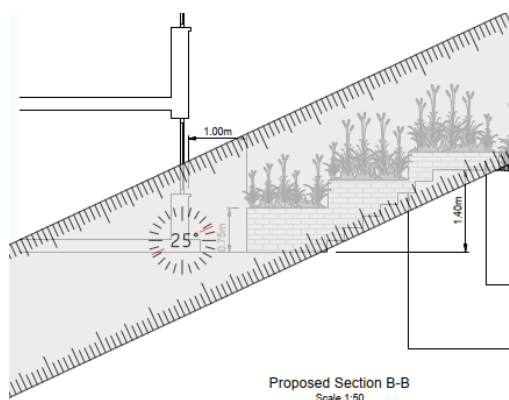
- 1 Raised planter, 1.0m x 1.2m x 0.3m high min, 0.48m max.
- 2 Raised planter, 1.0m x 1.2m x 0.3m high min, 0.48m max
- 3 Raised planter, 1.0m x 1.2m x 0.3m high min, 0.75m max
- 4 Raised planter, 0.2m wide min, 1.0m max, x 4.5m x 0.75m high
- 5 Flower bed at ground level, 1.2m x 2.2m
- 6 Flower bed at ground level, 1.5m x 2.0m
- 7 Proposed hedge to match existing, 3.0m long, 1.0m wide, 1.5m high

According to the details included with the application, the driveway would be constructed using block paving, with a linear drainage channel located adjacent to the back of the footpath to divert any surface water run-off from entering the public highway to a soakaway beneath the parking spaces. Although outside of the planning remit, it should be noted that building regulations do not permit soakaways within 5 metres of a building and/or highway. Therefore, the hard paved driveway shall need to be permeable to ensure adequate drainage is provided, which can be secured by condition if permission were to be forthcoming. Overall, the revised plans have been designed to be sympathetic to the host dwelling and the proposal is not considered to be detrimental to the character and appearance of the street scene and the surrounding area.

The proposal is considered to accord with to Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2023.) As such grounds for refusal 1 for application 20240734 are considered to be overcome.

Amenity of Future Occupiers

The proposal would result in off-road parking for future occupiers. There is some concern regarding the light levels and outlook of future occupiers as the ground floor window would face the development. However, the plans indicate, the property would receive sufficient light, and the majority of the window would face the proposed new steps and planting area:



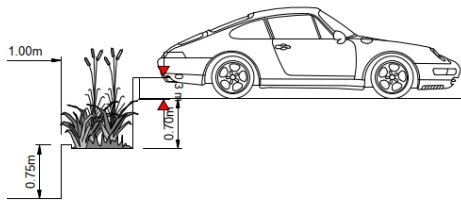
Therefore, on balance, the development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2023).

Neighbouring Amenity

No neighbour responses were received as a result of the consultation carried out for the proposal. In situ, the development is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2023).

Parking and Highways

SPG 4 - KCC Parking Standards (2006) and Gravesham's Householder Extensions/Alterations Design Guide (2021) state that car parking spaces need to be a minimum of 2.50m wide (2.7m where spaces adjoin an enclosed boundary) and 5.00m deep. The plans show that the hardstanding area would provide sufficient parking area for two cars. In addition, the retaining wall directly behind the spaces has been increased since the previous submission, from 0.15m to 0.30m, which is considered positive:



Furthermore, it is noted that the proposed soft landscaping has been strategically placed, and the plans incorporate 2.00m x 2.00m visibility splays on both sides, in the interests of highway safety.

Overall, the proposal would accord with SPG 4 - KCC Parking Standards (2006), Gravesham's Householder Extensions/Alterations Design Guide (2021), Policy CS11 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 9 of the National Planning Policy Framework (NPPF) (2023). As such, grounds of refusal 2 of application 20240734 is considered to be overcome.

Biodiversity

The proposed development would result in the loss of the lawn and established Hawthorn hedge. Whilst this is unfortunate, it is noted the front garden could be hard paved now, without planning permission, providing there are no land level changes and providing that permeable materials are used. The plans demonstrate proposed planting, including a new hedge, and therefore, in terms of biodiversity, the proposal is considered to be acceptable in respect of Policy CS12 (LPCS) (2014).

Any Other Material Planning Considerations

Archaeology

The site lies within an area of multi-period archaeological potential. However, the proposed development is unlikely to have any archaeological impact.

Groundwater Protection Zone

The site is located within a Groundwater Protection Zone 2 area, however, the proposal would be unlikely to be impacted by this constraint.

Conclusion

The application has been fully considered and is in accordance with local and national planning policy.

The revised plans have been designed to be sympathetic to the host dwelling, incorporating layout changes and soft landscaping to adequately soften the development. Therefore, the revised proposal is not considered to be detrimental to the character and appearance of the street scene and the surrounding area. In addition, the hardstanding area provides sufficient space for two cars, incorporating strategic planting and visibility splays in the interests of highway safety.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>

Dated:	4th December 2024	Dated:	4th December 2024