

Delegated Report

Planning Application

Planning Application No: 20241128

Location: 27 Old Road West, Gravesend, Kent DA11 0LH

Description: Formation of vehicular access and provision of one off-street parking space in front garden with associated hard standing.

Applicant: Mr Michael Walsh

Submitted Documents/Plans

Application form
Planning Statement
Drawing no. 01 (site plan)
Drawing no. 02 (existing plans)
Drawing no. 03 (proposed block plan)
Drawing no. 04 (proposed plans)

Relevant Planning History

None relevant to this site.

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
- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- 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;
- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

Consultees

Kent Council Highways and Transportation

The application proposes a new vehicle crossover and an off road parking area for one vehicle for 27 Old Road West. The submitted visibility splays demonstrate that splays of 2m x 43m in both directions can be achieved, and the required pedestrian visibility splays can also be provided.

Consequently, I refer to the above planning application and confirm that 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 permanent retention of the vehicle parking space shown on the submitted plans 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 maintenance of the visibility splays shown on the submitted plans with no obstructions over 1.05 metres above carriageway level within the splays, or 0.6 metres where a footway crosses the access, prior to the use of the site commencing.
- ☐ Provision and maintenance of 2 metres x 2 metres pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6 metres above footway level, 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.

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.

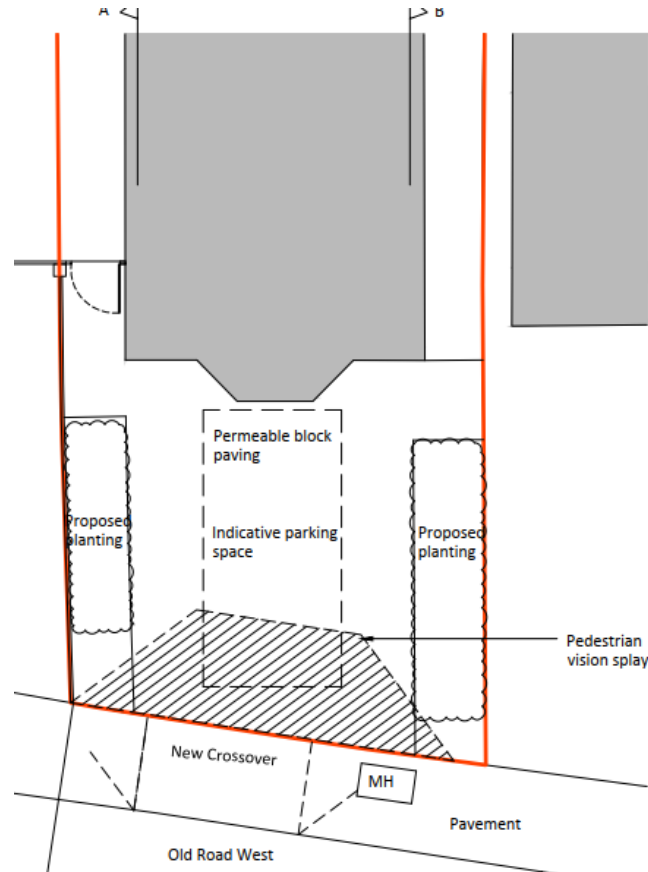
Neighbouring properties

The application has been advertised by individual letters to five neighbouring dwellings. No letters of representation have been received. The overall consultation period expired on 06 January 2025.

Officer's Analysis

Proposal

This application seeks planning permission for the formation of vehicular access and provision of one off-street parking space in front garden with associated hard standing.



Design, Character and Appearance

Section 12 of the NPPF 2024 relates to achieving well-designed places and sets out the Government's requirements in relation to design issues. Paragraph 131 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the NPPF 2024 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The application site is a two storey detached dwelling located along a main road. The front garden is currently laid to a mix of grass and paving slabs. Previously the site had a low front wall with a hedge behind but this has been removed and a car has been parked on the front without the benefit of planning permission or a dropped kerb.

There are other examples of driveways to the front of neighbouring properties however the vast majority still retain some form of soft landscaping.

The proposed plans show a parking area with planters either side. The concrete wall to the eastern side will be demolished and replaced with a 40cm high hazel fence. The existing 1m brick wall and pillar to the west will be demolished. No details have been provided with regards to the proposed surface of the driveway and therefore a condition is recommended that this is submitted.

There are many front driveways in close proximity that do not have any soft landscaping and these serve to

demonstrate how harmful this can be on the character and appearance of the area. The proposed soft landscaping at this site is minimal however there is little space to provide more and, on balance, will aid in softening the appearance of the development. The loss of the front wall is regrettable however the overall soft landscaping proposed will complement the site and the character of the area.

The proposed development therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and paragraphs 131 and 135 of the National Planning Policy Framework 2024.

Amenity

Future Occupiers

The proposed development will have no detrimental impact on the amenities of the future occupiers of the dwelling.

Neighbouring Amenity

Due to the nature of the development no additional volume is being applied for and therefore there will be no loss of outlook, privacy, sunlight or daylight from the proposed development.

The proposed development therefore accords with Policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024 with regards to amenity.

Ecology and Biodiversity

As this is a householder development the proposal is exempt from Biodiversity Net Gain. Nevertheless the local plan states in policy CS12 that there will be no net loss of biodiversity in the Borough and that opportunities to enhance, restore, re-create and maintain habitats will be sought. The front garden is currently laid to grass with some paving slabs however it previously was laid to lawn with hedging:



On balance the amount of landscaping is similar to what was on site before it was cleared and, subject to a condition to ensure full details of the planting, types of plants and their maintenance is submitted to the local planning authority, the proposal is acceptable in terms of policy CS12 of the Gravesham Core Strategy 2014.

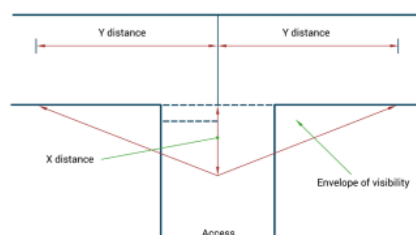
Parking and Highways

Old Road West is a 'B' Classified Road and so careful consideration is required regarding any new carriage crossover and driveway.

The Householder Extensions/Alterations Design Guide SPD comprises the policy guidance for new driveways, including car parking space and visibility splay requirements. This states that:

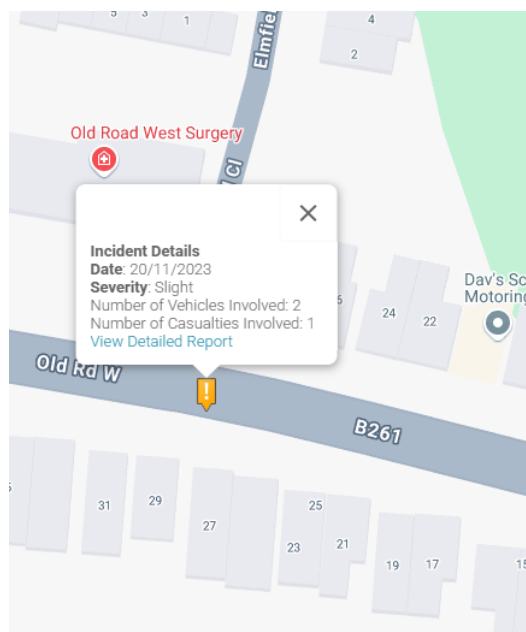
- Hardstanding should be proportionate to the size of the dwelling and the relevant car parking standards and avoid paving over a significant amount of the forecourt. Soft landscaped planted border along all boundaries should be provided in all spaces not specifically defined as parking or turning spaces.
- 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 below)

Visibility Splay



The proposal meets all of the above criteria and therefore, subject to conditions relating to the driveway surface and full details of soft landscaping, the proposal is acceptable in terms of this guidance.

The Crash Map shows there has been one accident outside the property in 2023:



This is not a significant amount of accidents and therefore there is no evidence that a driveway access to this property will be detrimental to the highways safety of Old Road West.

There have been two recent appeals at numbers 20 and 37 Old Road West both of which were allowed. In terms of highway safety, which was a concern of the LPA, the Inspector gave weight to the fact that there are other accesses that manoeuvre across public footpaths in the vicinity of both sites that had not caused accidents. She was also of the opinion that vehicular movements would occur at low speed and, due to the relatively wide footway, pedestrian safety would not be unduly compromised. They also added that there was no evidence that any incidents involving vehicles and pedestrians have been recently reported in the locale.

Manual for Streets states visibility splays of 43m in each direction for a 30mph road should be provided which the plans show can be achieved.

On the basis that two appeals have now been allowed for similar developments, and it is the view of the LPA that this particular proposal is safer than both of those proposals due to the provision of visibility splays, on balance, the proposal is considered to accord with the objectives of policy CS11 of Gravesham Core Strategy 2014 and policy T5 of the Gravesham Local Plan 1994.

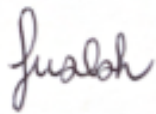
Conclusion

Subject to appropriate conditions the proposed development, on balance, is considered to result in no significant detrimental impact on the character and appearance of the area, amenity, parking or highway safety and is therefore accords with the above mentioned policies and is recommended for approval.

Recommendation:

Permission

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

Case Officer:	Mrs Alison Webster	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	5 February 2025.	Dated:	05 February 2025