

Delegated Report

Householder Planning Application

Application no:	20211403
Location:	1 Cheney's Cottages Thong Lane Shorne Gravesend
Description:	Application for the approval of conditions 3, 4 and 5 attached to planning application reference number 20190929 allowed on appeal under reference number APP/K2230/D/20/3244216 relating to (3) external facing materials, (4) pedestrian visibility splays and (5) soft landscaping.
Applicant:	Mr & Mrs D Chubb
Site Visit Date:	N/A

Planning permission was granted on appeal for 'removal of part of existing hedgerow to the frontage and formation of vehicular access with new gate and formation of vehicle hardstanding' under ref. no. 20190929. The Inspector attached several conditions including nos. 3, 4 and 5 which this application seeks to discharge.

Consultation responses

GBC Highways Officer – 17/11/2021 (First comments)

The sight lines for vehicles is to be welcomed and 45metres is adequate for a 30 mph road, they should be measured from a point 2.4 metres back from the edge of carriageway. The submitted drawing supports this is indeed the case and so visibility is adequate. There is no need to consider pedestrian visibility splays in isolation as they are a lesser requirement.

In terms of the materials I have serious concerns as it is possible for gravel etc. to be dragged onto the highway resulting in a safety hazard, with stones being thrown into the air by passing traffic. (Sections 148 and 149 of the Highways Act 1980, <https://www.legislation.gov.uk/ukpga/1980/66/part/IX/crossheading/obstruction-of-highways-and-streets>) It is for this reason that KCC as Highway Authority request that the first 6 metres of any drive is constructed in a bound material.

As presented I would therefore suggest that the proposed materials are not acceptable.

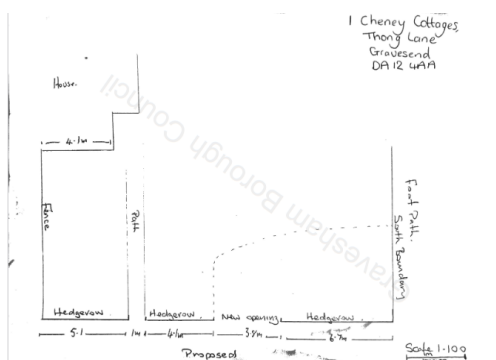
GBC Highways Officer - 24/01/2022 (Second comments)

I have no objections to this proposal for the surfacing, providing it is installed in accordance with the manufacturer's specification's.

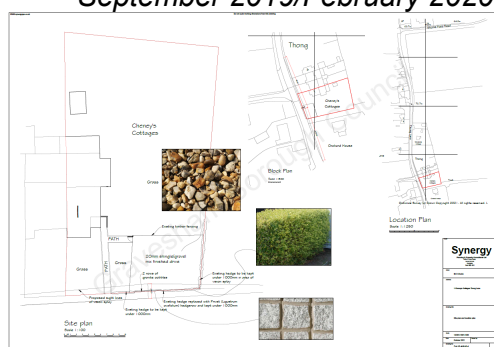
Shorne Parish Council

The application is for discharge of conditions, the previous application Ref 20200630 having been refused. The property is located in the Thong Conservation Area.

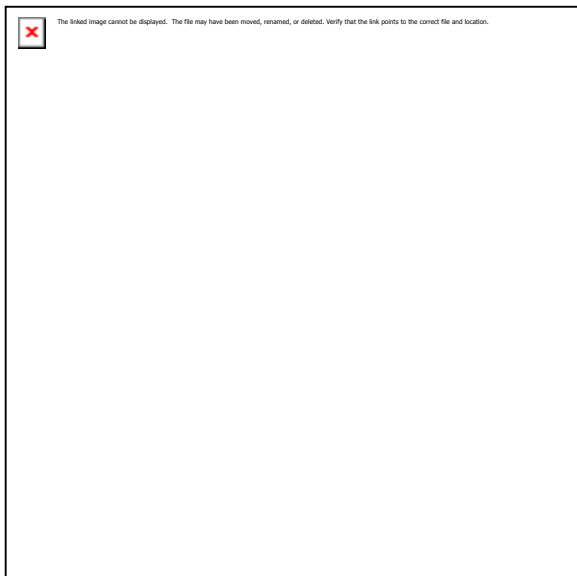
The Parish Council notes that the plan submitted with this application differs from the sketch previously submitted for the September 2019 planning application ref 20190929, and the subsequent successful Appeal submitted in February 2020, as the parking area is twice as large and the path has been extended sideways:



September 2019/February 2020



Current plan



The Parish Council also notes that aerial views show that other changes have been made to the site including laying out of a large concrete/paved patio that is not shown on the submitted plan. This raises a question as to whether these already made/proposed changes in a Conservation Area are material amendments and therefore might require planning permission.



Aerial view, April 2019

Regarding the application to discharge the Conditions:

Condition 3 (External facing materials including paths etc): The planning statement refers to gravel being laid on existing concrete/hard surface. This would be true for the path from the road to the front door, which seems to have been laid between May 2018 and April 2019. The plans now submitted show another path element being newly proposed, leading to and from the parking area.

The parking area was previously grass and a (removed) hedge. Builders rubble appears to have been deposited on the grass. This area is now to be gravelled which will create a large bare area twice as large as previously indicated and permitted, the proposed parking area now being approximately 12m wide by 9.2m deep. This may be overlarge.

The plans refer to “existing timber fencing” but this appears to be newly installed. The parking area is fully fenced off from the garden so we suggest possible Conditions that the parking area is only ancillary to the house and cannot be leased out or used to operate a business.

It is noted that no vehicle gates are shown, addition of these would require planning permission.

Condition 4 (Visibility splay): It is stated that the front hedge will always be kept at only 1m high however the splay relies on being able to see across neighbouring frontages, over which the applicant has no control. These other frontages are used for parking so there will be times when the view is blocked and vehicles will have to inch out until the driver can see.

It needs to be clarified with GBC highways about what they intended by their advice and whether or not they consider that the presently proposed visibility splay arrangements are satisfactory.

Condition 5 (Soft landscaping): If the front hedge is to be kept trimmed to 1m high then it is unlikely to

provide good wildlife habitat.

The Parish Council had previously requested that the hedges should be mixed native species and this was supported by implication in the Planning Appeal decision which says: *“Notwithstanding the details submitted, full details of soft landscaping shall be submitted to, and approved in writing, by the Local Planning Authority. Such details shall include schedules of plants noting species; location.....”*

No overall planting scheme has been provided apart from the front hedge, and the plans do not e.g. include flowerbeds or any other plantings on the site, the plans referring only to grass areas.

Overall, we do not consider that this Condition has been satisfied however we note that other houses in the row have similar trimmed monoculture hedges.

KCC Highways

No objection.

GBC Conservation Officer

No comment received.

Analysis

Procedural issues

As originally submitted the proposed plan showed a larger hardstanding area than had been approved. A revised plan has now been received showing the hardstanding to be the size as per the approval.

Condition 3 – External facing materials for surface of hardstanding

Condition 3 is as follows:

- 3) Notwithstanding the details shown on the approved plans, full details of the external facing materials for the surfacing for the hardstanding area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the vehicular access first being brought into use.

The proposed material originally submitted was for loose gravel. There was an objection to this however on the basis that loose gravel is a highway hazard due to straying into the road and therefore was not acceptable. The applicant therefore proposed a permeable bonded gravel over permeable tarmac.

The revised information submitted in pursuance of this condition is as follows:

- Covering letter;
- Drawing no. 21/348/01 Rev. E – Site plan and location plan;
- Daltex Bespoke resin bound gravel manufacturers details;
- Tarmac Ultidrive porous manufacturers details

It is proposed to use permeable tarmac with permeable resin bound gravel over the top. This therefore provides the look of gravel which is considered sympathetic without the issue that the gravel is not fixed. Both the bonded gravel and the tarmac are permeable. Harvest Gold colour choice has been proposed which is considered acceptable. These revised proposed materials are considered acceptable and it is therefore considered condition 3 can be discharged.

Condition 4 – Visibility splays

Condition 4 is as follows;

- 4) Notwithstanding the details shown on the approved plans, full details of pedestrian visibility splays shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the vehicular access first being brought into use and retained thereafter.

The revised information submitted in pursuance of this condition is as follows:

- Drawing no. 21/348/01 Rev. E – Site plan and location plan;

The proposed sightlines of the visibility splays are shown on the proposed drawing and the Highways Officer confirms the 45m sightlines are adequate. It is therefore considered condition 4 can be discharged.

Condition 5 – Soft landscaping

Condition 5 is as follows;

- 5) Notwithstanding the details submitted, full details of soft landscaping shall be submitted to, and approved in writing, by the Local Planning Authority. Such details shall include schedules of plants noting species; location; and a scheme of maintenance. The landscaping works shall be carried out in accordance with the approved details before any part of the development is first brought into use. The completed scheme shall be maintained in accordance with the approved scheme of maintenance.

The revised information submitted in pursuance of this condition is as follows:

- Drawing no. 21/348/01 Rev. E – Site plan and location plan;

The proposed plan shows the existing hedge to the left of the access and along the southern boundary will be retained and kept under 1m in height. The existing hedge to the right of the access will be changed to a privet hedge (*Ligustrum ovalifolium*) and will be kept under 1m in height. Proposed hedge to be 30/40cm bare root plants in soil prepared with well rotten manure dug into the soil before planting, either in spring or autumn, planted 30cm apart. Well rotted compost or leafmould to be added around the plants each autumn. Hedgerow to be maintained with any dead plants replaced for 5 years minimum. The proposed landscaping and scheme for maintenance is considered acceptable and it is considered condition 5 can be discharged.

Conclusion

It is considered sufficient information has been submitted to discharge conditions 3, 4 and 5.

Recommendation:

Approval of details

See draft Decision

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
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Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	1 March 2022	Dated:	02 March 2022

Gravesham Borough Council