

# Delegated Report

## *Householder Planning Application*

**Planning Application No:** 20221240

**Location:** 49 Pelham Road Gravesend Kent DA11 0JA

**Description:** Removal of front boundary wall and formation of vehicular access including the erection of new front boundary wall, railings and gates.

**Applicant:** Miss Ruth Baker

**Site Visit Date:** 12 January 2023

### Submitted Documents/Plans

Application form;  
Drawing no. 22/49P/EX 100 Rev. A (Existing Site Location & Block Plan);  
Drawing no. 79879/1 (As Proposed. Plan & Elevation); and  
Heritage Statement.

### Relevant Planning History

| Reference | Description                                                                                                                        | Decision            | Decision Date |
|-----------|------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------|
| 20200459  | Change of use to a children's nursery and pre-school together with a replacement front boundary wall including gates and railings. | Refused             | 21.07.2020    |
|           |                                                                                                                                    | Dismissed on appeal | 19.10.2021    |
| 20150905  | Conversion of 4 self-contained flats to a single family dwelling.                                                                  | Permitted           | 30.10.2015    |

### Development Plan

#### Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

#### Gravesham Local Plan: First Review (1994)

- TC3 – Development Affecting Conservation Areas
- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network

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
- 9 – Promoting sustainable transport
- 12 – Achieving sustainable development and well-designed places
- 16 – Conserving and enhancing the historic environment

#### Supplementary Planning Guidance

- Pelham Road/The Avenue Conservation Area Character Appraisal (2009);
- Management Plan Gravesend's 19<sup>th</sup> Century Suburban Conservation Areas (2009).
- Planning Guidance Note 6 – Vehicle Accesses on Classified Highways

Section 72(1) of the Planning Listed Building and Conservation Areas Act 1990 (as amended) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

### **Consultations, Publicity and Representations**

#### Consultees

#### GBC Conservation Officer

The drawings appear to resemble the original wall and railing that survived but not quite the same height in respect of the lower wall and coping under the railings (See screen grab below from Google Streetview). The original coping stones appear to be Portland Stone.

Subject to detail design drawings at a scale of 1/10 and half or full size the proposals would be acceptable. Samples of brick and stone copings and pointing mix and finish also should be agreed.



Should there be details of the treatment of the garden/soft landscaping for this one? Its would certainly help to soften the area with some planting/hedge/trees to break up the ocean of hard landscaping.

#### Neighbouring properties

14 surrounding properties were consulted plus site and press notices – the overall consultation expiry date was 24 May 2023 – 6 responses received in total (five in objection and one neither supporting or objecting):

#### Design, Character & Appearance

- Should revert to a beautiful building and the grounds that it deserves;  
The drive is already in place so unsure why further alterations need to be changed to move the entrance and change pavement;
- Originally the gate of drive was on the left,, would like it to stay as it is.

#### Non-material planning considerations

- Believes the reason for the wall and gates is because the owner wants to convert the house to a nursery school (previous application refused) – **Officer Note – that is not what is being applied for in this application and it is only what has been applied for that can be considered in any application.**
- Owner has no concerns for others or neighbours;
- The garden has been left and unmaintained with an attitude of not caring and lack of respect;
- Work has been carried out without planning permission;
- Pavement has been damaged leaving it uneven and dangerous to the public – **Officer Note - any matters relating to damage to the pavement would be for between the owner and KCC Highways as the landowner of the pavement.**

#### **Officer's Analysis**

The application site consists of a detached building in Pelham Road. The site is situated in the Pelham Road/The Avenue Conservation Area and is in use as a single family dwellinghouse (having previously been in use as flats but granted permission to revert to a single family dwellinghouse under ref. 20150905).

The principle considerations in the assessment of the proposal are:

- Design, Character and Appearance including Heritage;
- Impact on Parking and Highway Safety

#### Design, Character and Appearance including Heritage

No. 49 Pelham Road is a large detached late Victorian building. The original front boundary wall/railings have been entirely removed, they were of red brick with Portland coping stones. There is an existing dropped kerb serving the area to the front of the house which is used for parking and laid with gravel. The access is at the south-western corner of the frontage.

It can be seen from a review of Google Streetview that in the earliest available image October 2008 the front boundary wall/railings existed but over the years since then they have gradually been removed. There was a section of wall and railings remaining by April 2021 but by November 2022 this had all been removed. This is demonstrated in the below comparison images of 2008, 2021 and 2022:



**October 2008**



**April 2021**



**November 2022**

Planning permission was required to remove the wall due to the property being covered by an Article 4 Direction. As the remains of the wall were removed within the last four years there is no immunity from potential enforcement action. As a result of Planning Enforcement's involvement an application for reinstatement of a front boundary wall and railings has been submitted. The development has already commenced by virtue of the remaining section of wall being removed.

This proposal is to reinstate a front boundary wall, double gate and railings which is most welcome given the original front boundary wall and railings have all been lost. The new wall would be in facing brick with a note on the drawings stating that the brick will be subject to approval. The design of the wall would consist of piers with sections of lower wall in between with railings above them. There would be a set of double vehicular access gates in the centre of the wall with a proposed central access onto Pelham Road. The piers would range in height between 2.1m - 2.65m with the lower wall sections being 0.77m with the railings above making them 1.8m in height overall. The lower wall and railing would be a slightly greater height than the height of that element in the original wall but the Conservation Officer raises no objections to this element. The existing access with dropped kerb is at the south-western section of the frontage. The fact the access would be moved to the centre is considered acceptable, although it would not be in its original location it is considered acceptable for it to be moved and having it centrally located will also help improve visibility for vehicles exiting the site.

The proposal would reinstate a wall and railings along the front boundary which previously has been removed. Many of the buildings in the Conservation Area are set behind front gardens which are enclosed with a variety of boundary treatments, some with wall and railings.

The proposal subject to conditions to secure samples of the brick, stone copings, gate and railings, details of the pointing mix and finish and detailed design drawings at a scale of 1/10 and half or full size the proposal would enhance the character and appearance of the Pelham Road/The Avenue Conservation Area.

The area in front of the building is laid with gravel with no soft landscaping whatsoever. Previously (as at Google Streetview April 2021) the front garden was earth with areas of grass (albeit worn away from the front garden parking). It is considered that in order to soften the area in front of the dwelling which has quite a harsh appearance from all the expanse of gravel it would be prudent to attach a condition to request some soft landscaping to the frontage. It is considered this is particularly important in order to protect the character of the Conservation Area.

In respect of the impact on design, character and appearance including heritage it is considered that subject to conditions the proposal would be compliant with policies CS19 and CS20 (LPCS) and saved

Policy TC3 (LPFR).

Impact on Parking and Highway Safety

Pelham Road is a classified highway. The property already has an existing access with dropped kerb at the southern boundary of the site. This proposal is for the creation of a central access. It is considered that moving the access to the centre from its current south-western location of the frontage is acceptable in terms of highway safety. Although the piers are of a certain height the lower part of the wall with open railings above would provide sufficient visibility splays. Subject to a condition to request details of visibility splays it is considered that in respect of parking and highway safety the proposal is considered compliant with Policy CS11 (LPCS).

Any Other Material Planning Considerations

None.

**Conclusion & Recommendation**

The proposed reinstatement of a front boundary wall and railings, subject to conditions, would be an enhancement to the character and appearance of the Pelham Road Conservation Area and rectify the harm that has been caused to the Conservation Area from the removal of the original wall and railings. It is considered the moving of the vehicular access from its current southern-most location to a central location and reinstatement of the front boundary wall and railings would cause no harm in respect of highway safety. As such the proposal is considered compliant with local and national planning policy.

**Recommendation:** Permission

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

|                      |                         |                     |                                                                                       |
|----------------------|-------------------------|---------------------|---------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Ms Rebecca Harrison     | <b>Team Leader:</b> | Miss Faye Hobbs                                                                       |
| <b>Signed:</b>       | <i>Rebecca Harrison</i> | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 25th May 2023           | <b>Dated:</b>       | 25 May 2023                                                                           |