



Delegated Report

Householder Planning Application

Planning Application No: 20221317

Location: Crantock House 22A Old Road East Gravesend Kent

Description: Provision of a hardstand block paving driveway, dropped kerb and concrete ramp to allow easy access for disability use.

Applicant: Mr & Mrs Kainth

Site Visit Date: 15th February 2023

Submitted Documents/Plans

- Application Form
- Drawing No: SD103 (Existing Block Plan)
- Drawing No: SD104 (Proposed Block Plan)
- Site Location Map
- Drawing No: SD102 (Existing/Proposed Elevations)
- Drawing No: SD100 (Existing Plan)
- Drawing No: SD101 (Proposed Plan)

Relevant Planning History

Reference	Description	Outcome	Decision Date
19920177	Erection of rear extension at first floor to form bedroom and ensuite bathroom and formation of a vehicular access onto a classified road.	Refused and dismissed at appeal.	19.05.1992

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

Saved Policies in the Gravesham Local Plan First Review (November 1994):

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

Paragraph 33 of the NPPF (2021) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places

Other relevant guidance

- Kent County Council Vehicle Crossing: - Guidance and Self-Assessment (2018)

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

Local Ward Councillors

GBC – Highways Officer

There are some issues with this proposal.

1. Old Road East is in Schedule one of Gravesham's Supplementary Planning Guidance Note PGN6. Which requires on site turning to be provided so vehicles may enter and leave the property in forward gear.

Here there is adequate width and only slightly substandard in depth, so it should be possible to accommodate a single vehicle. Considering other options, there is an access to the rear of the property, but no information has been submitted if the applicant has a right to use it, and it is outside the red line boundary of the application. Looking at the appeal decision for application 19920177, I note the Inspector stated there was a garage to the rear of the property, so it is reasonable to assume there is a right to use the access. The inspector also stated that the access proposed would not meet the sight line requirements at that time although these have since been reduced by the guidance in Manual for Streets. The Inspector considered at the time sight lines would be approximately 25m to the west by 50 metres to the east from a position 2.4 metres back from kerb edge. Whilst the distance to the east is now suitable as it exceeds the 43m requirement the distance to the west is still sub-standard by a considerable margin.

On **Schedule 1 roads**, the following additional considerations apply:-

- where an alternative means of vehicle access can be provided which does not affect the main road, a new access to the classified road will normally be refused;
- all applications will be expected to show on-site turning space - typically, this will require a minimum forecourt area of 7.5 metres width and 8 metres depth;
- exceptional circumstances will be needed to justify the creation of more than one means of access to a single residential property;
- all new entrances will have to have full sight-lines appropriate to the speed of passing traffic and all reasonable steps should be taken to design out any hazards arising from this access. This may entail further work in the highway.

2. Pedestrian visibility splays are generally 2m x 2m and are measured down the side of the driveway and not from the centre of the drive or a vehicle parked on the drive. I have no doubt that a suitable arrangement is achievable, but for uniformity a standard set of drawings should be submitted.
3. Surface water drainage, an Aqua Drain is shown. But no further details are provided. Given Building Regulations does not permit a soakaway within 5 metres of a road or building, any piped drainage system would either have to discharge to a soakaway to the rear of the property or a bound permeable paving should be used for the driveway with a suitable sub-base to ensure adequate disposal of surface water. It is accepted that some additional drainage may be required to prevent flooding the property during periods of heavy rainfall, but this should drain back into the sub-base of the permeable paving over a wide area to prevent overloading and the creation of soft spots. Alternatively, it may be possible to form a swale to accommodate surplus surface water where the lawn is shown on drawing, but this should be designed by a suitably qualified person, if indeed it is possible.
4. The width of the driveway needs very careful consideration; it is generally accepted that a 1.2-metre-wide pedestrian access is required either side of a parking space to provide for the mobility impaired. For the disabled parking spaces the width is universally taken as 2.4 metres, (which differs to the standard width in Kent of 2.5 metres). This gives a driveway width of $(3 \times 1.2) + (2 \times 2.4)$ which gives a width of 8.4 metres. This does give some scope to reduce the paved area and provide some soft landscaping if required, but not the width of the access between the dwarf walls. This also means at some future date it would be possible to accommodate 3 vehicles off street, if no one is mobility impaired.
5. Now considering the needs of the disabled. Gravesham Borough Council consider each case on its merits and an extract from the web site states;

Each case is looked at on its own merits. Here are some things we will consider as part of your application:

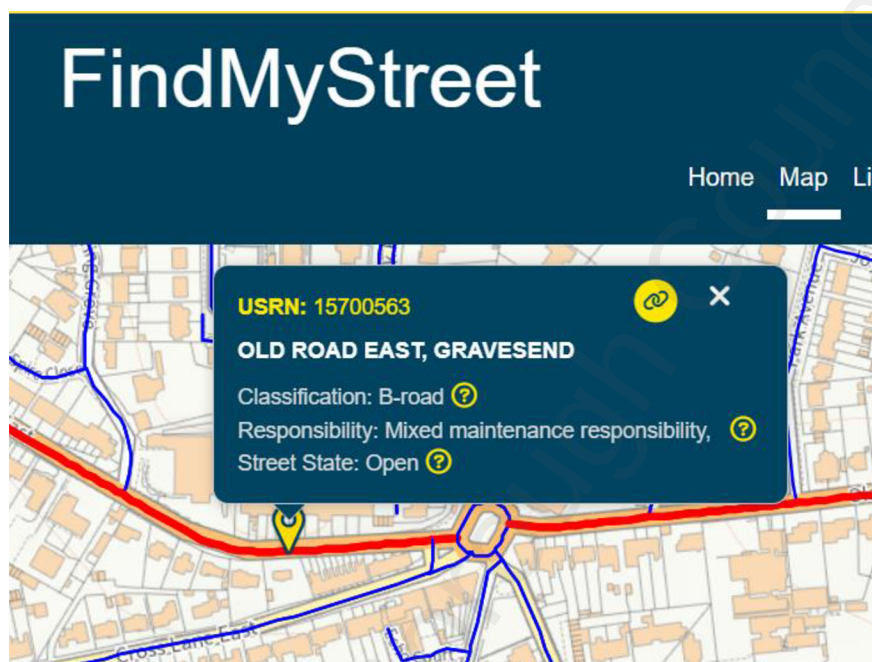
- You have a disability which prevents you from walking between your house and the nearest available parking space unaided
- You are the driver, or you are driven by a person living at the same address as you
- You hold a current and valid Disabled Blue Badge
- You have no allocated or off road parking which you can readily access
- There are no physical constraints on safe parking in the road

Considering each item in turn, no details on the disability are known, but given the issuing of the Blue Badges, it must be accepted that there is currently a limitation on walking, although circumstances may change.

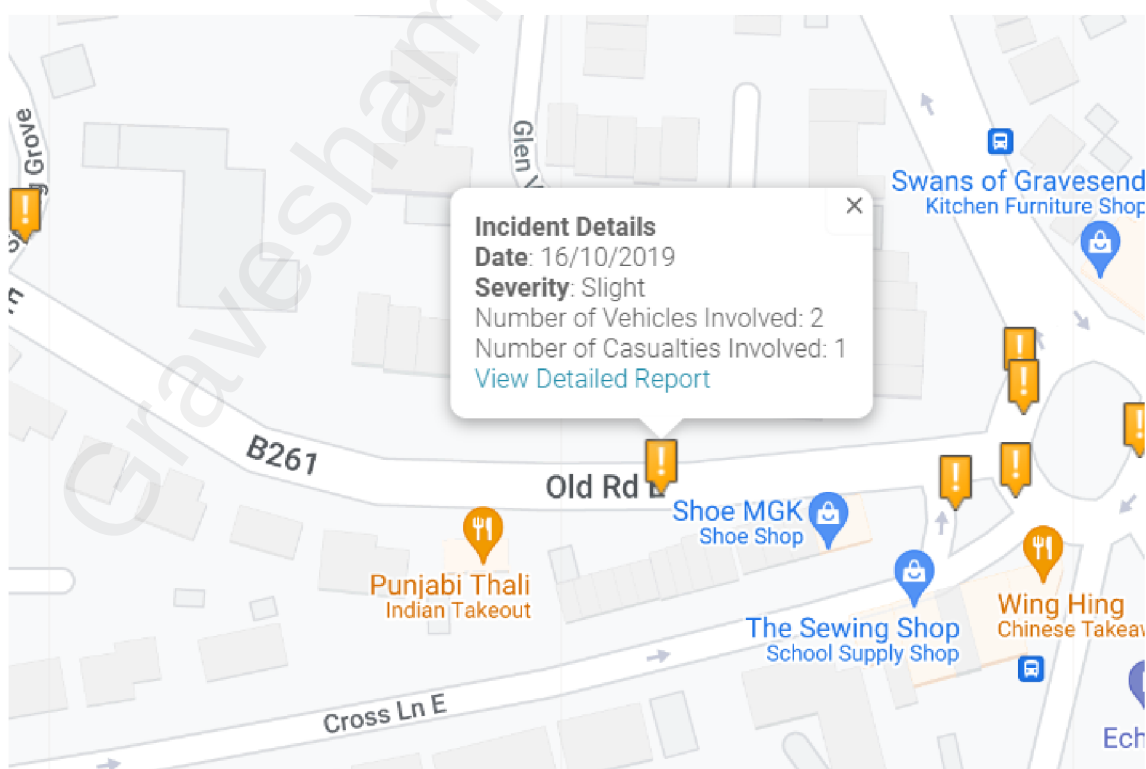
The applicant and his wife are both registered with a Blue Badge, although one is due to expire soon, 14/04/2023 the other approximately a year later. 22/03/2024

There is a rear access and the availability of off-street parking being provided, it is doubtful that an old garage would provide sufficient space for the needs of a disabled driver.

Old Road East forms part of the B road network which forms a by-pass around the town



Looking at crashmap there is a limited injury accident record in the area for the period 2017 to 2021, with a single accident to the east in 2019



Recommendation. Whilst it is recognised that the needs of the disabled should be met as far as is possible, there are instances where this may not be possible. In this instance I do not believe the needs the disabled outweigh other safety considerations.

It appears alternative car parking can be readily provided at the rear of the property removing the need for any parking at the front either on or off street.

There are inadequate sight lines to the west. The Inspectors comments associated with application 19920177 states,

13. The sight line visibility from the proposed point of access to Old Road East at a 2.4 m 'x' set back distance would be about 50 m to the east and some 25 m to the west. Planning Policy Guidance:Highways Considerations in Development Control (PPG13) recommends sight line splays of 90 m in both directions at a 2.4 m 'x' set back distance where the speed limit on the major road is 30 mph. It also advises that whatever the type of access, good visibility is essential. Having regard to the sub-standard visibility that would be available at the point of access and the status of Old Road East as a District Distributor Road I conclude that the use of the proposed access would materially affect the safety of people using Old Road East contrary to the objectives of Policy T5.

now whilst the view to the east would conform to current guidance that to the west does not, 43 metres being the requirement in Manual for Streets and the Kent Design Guide.

(A) Occupation of a property is always for a limited period even if it measured in the tens of years, and any subsequent occupant would have the benefit of the parking, potentially resulting in three vehicles being parked off street resulting in more frequent turning movements on and off of a busy highway, at least during peak periods. The Inspectors comments from the appeal associated with 19920177 states:

(B)

12. The classified Old Road East is designated as a District Distributor Road in the Local Plan. The Council considers that the proposed access is an unnecessary additional hazard to highway safety since the property is already served by a rear vehicular access. You state that the existing access is dark and dangerous. However it seems to me that the installation of security lighting could assist in alleviating this concern and the existing arrangement provides a satisfactory alternative means of vehicular access.

Given the circumstances, I would suggest a refusal is justified.

If you consider it is appropriate to consider a revised application given an individuals circumstances it should be for a single vehicle only with on site turning and the access width adjusted to suit, providing a location can be found where there is adequate sight lines in both directions of 43m x 2.4m x 43m

Neighbouring properties

The application was advertised by way of letters to two surrounding properties. The consultation period expired on 25th January 2023 and no comments were received.

Analysis

Proposal

The proposal seeks the provision of a hardstand block paving driveway, dropped kerb and a concrete ramp to allow easy access for disability use.

The proposal shows a driveway width of some 10.8m and a minimum depth of 6m. The proposal also shows a concrete ramp which will provide disability access to the main dwelling.

Character and Appearance

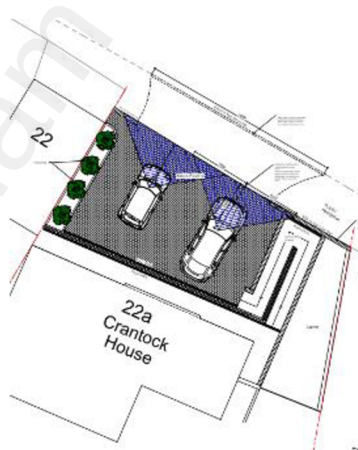
The application site is a detached house in use as a single family dwelling. The dwelling is set back from the edge of the footpath by approx. 7.6m. Old Road East slopes down to the south and down to the west and so the property is positioned on a lower ground level than the highway. The front garden is set behind a dwarf wall with a small footpath leading to the front door and side access way, the rest of the garden is soft landscaped. Whilst the front garden has recently been clear there is still evidence of laid lawn and replanting could take place

Old Road East is a classified road, the application property is positioned behind its neighbour to the west and slightly in front of the neighbour to the east. The application property is unique in comparison to its immediate neighbours as it is positioned on significantly lower ground and is partially obscured due to it being lower down. Whilst some of the properties within the road benefit from off road parking they are historic arrangements and whilst present on some of the plots this arrangement does not set a precedent.



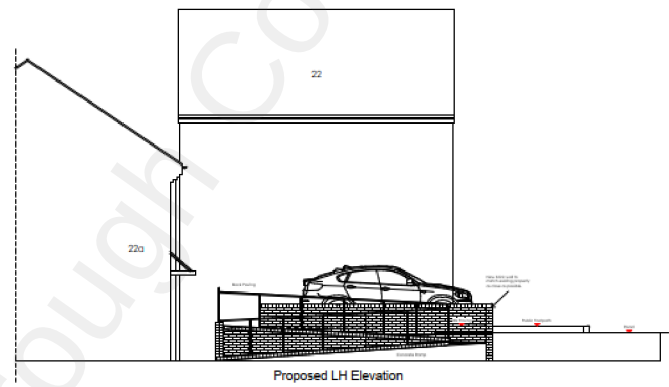
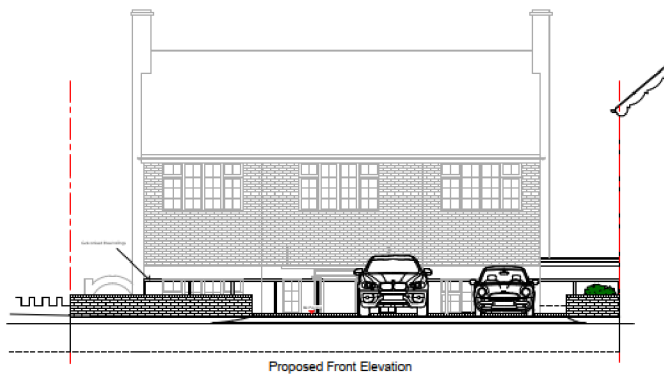
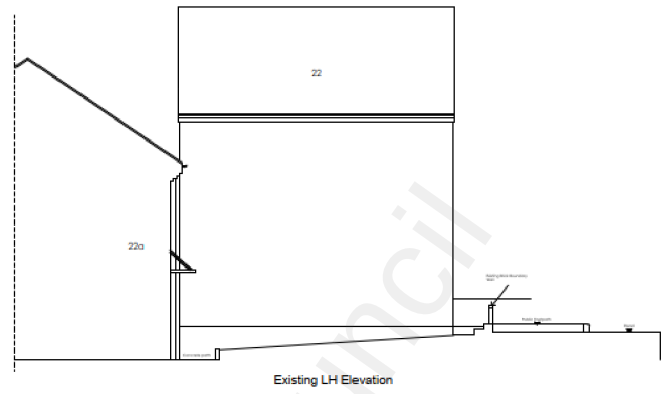
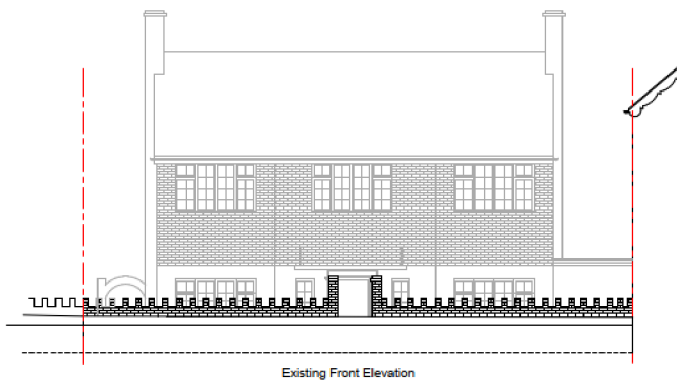
A previous application on the site under reference 19920177 which included the formation of a cross over was refused, and dismissed at appeal (see Appendix 1).

The proposed hardstanding would result in the removal of the front wall and gate, and the formation of a paved hardstanding and associated hardstanding. It would involve clearing and levelling the garden with a vast amount of soft landscaping removed.



Whilst other properties within the vicinity have similar arrangements – albeit with more soft landscaping, the extensive removal of soft landscaping will add to the urbanisation of the streetscape. Such development results in a harsh developed appearance and results in a car dominated area which diminishes the positivity which soft landscaping provides.

Furthermore the levelling of the garden will result in a raised section of hardstanding. It is accepted that the application property is set below the highway and so its visibility is already slightly obscured, however the increased height of the hardstanding will hide a vast amount of the ground floor level attractive frontage and replace it with a harsh hardstanding and parked cars.





The loss of biodiversity and the impact of the hardstanding including the raising of its height will harm the character and appearance of the property and wider streetscene.

As such the proposed development will have an urbanising effect by virtue of removing the boundary wall and soft landscaping to form the hardstanding. The plans fail to demonstrate adequate retention of biodiversity which would reduce the harsh impact of a hard-paved driveway and therefore the proposal is considered to be detrimental to the visual amenity of the street scene. Therefore the proposed development is contrary to Policies CS12 (Green Infrastructure) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014) as well as Section 12 of the National Planning Policy Framework (NPPF) (2021) achieving well-designed places.

Amenity of Future Occupiers

Whilst it is acknowledged that the applicants have disability requirements on balance it is considered that this does not outweigh the significant risk posed in terms of highway safety.

The proposal would not result in any harm to the amenity of future occupiers of the property. As such in respect of amenity of future occupiers the proposal is considered to comply with SPG2 and Policy CS19 of the Local Plan Core Strategy 2014.

Neighbouring Amenity

The proposal would not result in any harm to the amenity of occupiers of surrounding properties. There would be no loss of sunlight, overlooking, overbearing or loss of outlook as a result of the proposal. As such in respect of amenity of occupiers of neighbouring properties.

Parking and Highways

As mentioned previously there is space at the rear for vehicular parking. The screenshot below from Google Earth shows access to a garage and hardstanding at the rear of the site, it is not clear whether the second garage is owned by the applicant but this does demonstrate that the site may not be in need of additional parking which would result in a loss of biodiversity.



A recent site visit demonstrated the above garage as being maintained with a security camera attached. Whether it is used for vehicle parking is not clear however there is scope to utilise this space further.



There are also inadequate site lines to the west, something which was noted by the appeal inspector in 1992, given the busy nature of Old Road East this would pose a significant highway hazard and as mentioned by the highways officer the application site would at some point in the future possibly be used to accommodate up to three vehicles which will increase turning movements on and off of a highway which can be exceptionally busy during period peak times.

In light of the above it is evident that the proposed addition of parking to the front of this property poses a highway hazard and there is scope to accommodate off road parking to the rear of the property it is considered that the proposal cannot be supported on highway grounds.

The proposed hardstanding and crossover is detrimental to highway safety and is therefore contrary to CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014, Policy T5 Local Plan First Review (1994) and - KCC Parking Standards (2006).

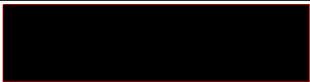
Conclusion & Recommendation

The proposed development will have an urbanising effect by virtue of removing the boundary wall and soft landscaping to form the hardstanding. The plans fail to demonstrate adequate retention of biodiversity which would reduce the harsh impact of a hard-paved driveway and therefore the proposal is considered to be detrimental to the visual amenity of the street scene. Therefore, the proposed development is contrary to Policies CS12 (Green Infrastructure) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014) as well as Section 12 of the National Planning Policy Framework (NPPF) (2021) achieving well-designed places.

The proposed hardstanding and crossover is detrimental to highway safety and is therefore contrary to CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014, Policy T5 Local Plan First Review (1994) and - KCC Parking Standards (2006).

Refusal is recommended.

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

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	15/02/2023	Dated:	22nd February 2023