

Delegated Report

Application No:	20220010
Location:	1-73 (odds), Lapis Close, Gravesend DA12 4UE
Description:	Construction of 20 no. parking spaces and landscaping.
Applicant:	Billings Group Ltd.
Site Visit Date:	7 February 2022

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form received 10 January 2022.

Planning Statement received 10 January 2022.

Transport Technical Note received 10 January 2022.

Drawing no. DHA/14898/P11 (proposed site layout) received 10 January 2022.

Drawing no. DHA/14898/02 (existing site layout plan) received 10 January 2022.

Drawing no. DHA/14898/01 (site location plan) received 10 January 2022.

Relevant Planning History

20220022	Application for prior approval under Part 20 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for upward extension of existing block of flats through the construction of 1 additional storey to provide 12no. flats along with necessary ancillary works.	Pending decision	
19900562	Construction of pitched roofs over the existing three flat roofed blocks.	Permitted	11.09.1990
19920687	Construction of a pitched roof over the existing flat roofed blocks to provide 4 no. one bedroom and 2 no. two bedroom self-contained flats in the roof space and laying out of 25 no. car parking spaces at the rear.	Refused, appeal dismissed	20.01.1993

19910663	Construction of a pitched roof over the existing flat roofed blocks to provide 4 no. one-bedroom and 2 no. two-bedroom self-contained flats in the roof space and laying out of 23 no car parking spaces at the rear.	Refused, appeal dismissed	21.11.1991
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Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS18 – Climate Change
- CS19 - Design & Development Principles
- CS20 – Heritage and the Historic Environment

Paragraph 33 of the National Planning Policy Framework (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) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

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

- P3 – Vehicle Parking Standards

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)

Consultations, Publicity and Representations

KCC Highways

I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority. Parking spaces should be a minimum of 5.0m x 2.5m which should be conditioned if necessary.

Informative: It is important to note that planning 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 planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, 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 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 formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. 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.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that 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.

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

Highway Development Management Officer

I have no objections to the proposed parking, even with the proposed additional flats subject to separate consideration there will be an increase in parking for the additional units.

Whilst it is accepted that Gravesham's adopted guidance is for a maximum number of spaces at residential properties, this is dated and does not reflect the current trend. Kent County Council as Highway Authority updated their guidance in 2008, although it was not adopted by Gravesham Council. The new guidance for suburban and rural areas is for a minimum number of spaces to be provided per unit. So if the developer so wished and subject to other planning considerations it may be possible to increase the parking provision further.

In terms of conditions;

No surface water should discharge onto the highway.

Appropriate provision should be made for the allocation if required of parking for the disabled. This

can easily be achieved with the car parking spaces nearest the central access to the block.

Parking bays at the end of the aisles adjacent to any soft or hard landscaping above a kerb height above carriageway should be 2.7 metres wide to facilitate access to both sides to the vehicle.

Neighbouring properties

The application has been advertised by individual letters to 22 properties. 16 letters of objection from 14 separate dwellings have been received and one letter of support.

Objections

- Creating parking now to serve more flats does not help the situation. This should have been dealt with years ago
- This is for financial gain only and does not benefit the wider community
- More parking will make no difference
- Noise, dust and disturbance
- This is purely an incentive to approve the new flats
- 20 spaces are not sufficient and will only be built if 20220022 is approved
- Pavements are constantly blocked by cars, no room for emergency services
- This will make Lapis Close look like a car park
- The planning statement only refers to the number of new spaces and does not make allowances for those lost. Six existing spaces will be lost. Net gain is not 20 spaces
- No mother and child paces
- No disabled spaces
- No allowances for vans or commercial vehicles
- Technical note refers to 2011 data and is therefore out of date
- Boundary appears incorrect
- Detrimental impact on the appearance of the area, loss of grass and soft landscaping
- Loss of the area to 'pull in' when giving way to on coming traffic
- Close to the flats causing loss of privacy and air quality issues

Many of the letters were also objecting to the new flats proposed under reference 20220022.

Support

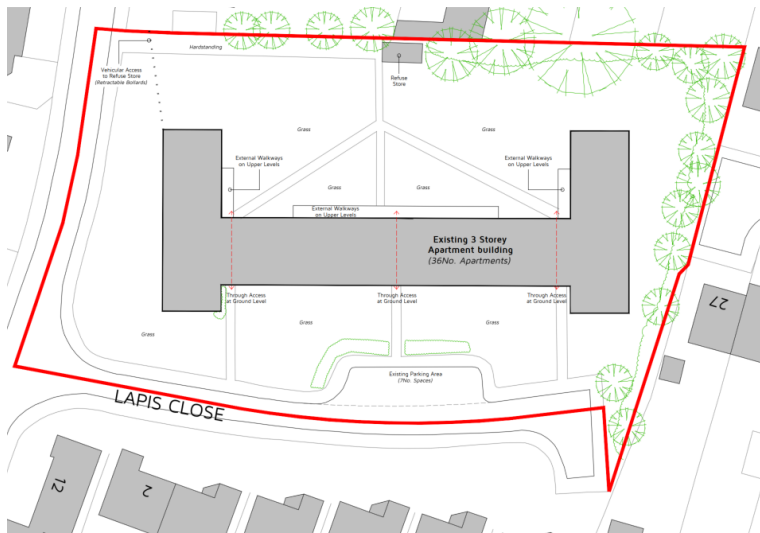
- Will help alleviate the parking problems in the area

Analysis

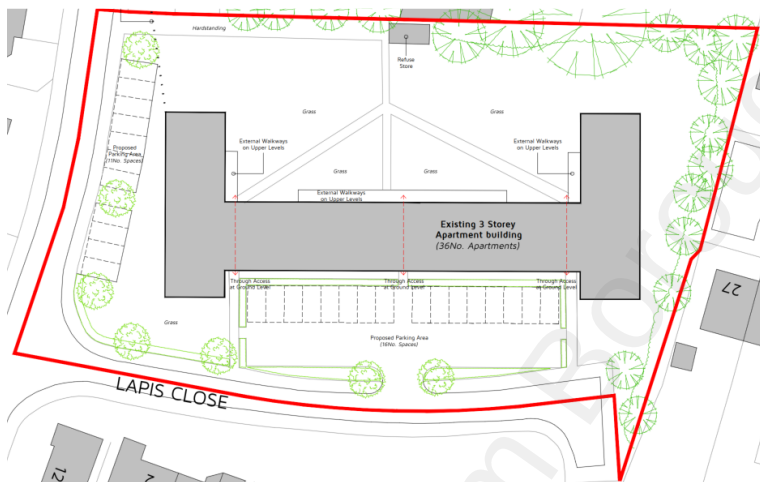
Proposal

This application seeks planning permission for the construction of 20 no. parking spaces and landscaping.

Existing layout:



Proposed layout:



There are currently approx. 7 spaces to the front of the flats and the proposed scheme provides for 27 spaces. The planning statement refers to 8 new spaces to the west (the plans show 11) and 12 to the south (the plans show 9 additional spaces to the front and 16 in total).

Character and Appearance

The application site is a block of flats located in a village location. The flats are an anomaly within the street scene, however they are surrounded by open planned soft landscaping and set within their curtilage. The surrounding dwellings are a mix of two storey detached and semi detached properties. To the west there are chalet bungalows. Most properties have open planned front gardens that are laid to grass or hardstanding.



The proposed plan shows an increase in parking spaces to the front (south) of the building of 9. It would appear from the plan that the parking area would be surrounded by grass and there would be some planting to the front and around the boundary of the spaces. In terms of visual amenity, the planting is welcomed and, if approved, a condition would be recommended to ensure this was undertaken.

The proposed parking to the west shows a further additional 11 spaces with direct access to the road. Currently the site is landscaped with grass which softens the character and appearance of this semi-rural street scene. Its replacement with car parking will urbanise the area to the detriment of its character. The location to the west of the flats is prominent within the street scene and it is unlikely the addition of a few trees would be sufficient to soften its appearance particularly when approaching the site from Lower Higham Road to the north.

Policy CS19 of the Gravesham Local Plan Core Strategy 2014 requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built environment and integrate well with the surrounding area.

Whilst the principle of increasing the parking is acceptable and welcomed at this site, the proposed scheme will result in a detrimental impact on the character and appearance of the area and therefore fails to comply with Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

Listed Building

'Readers' is a Grade II Listed Building located to the north of the application site. It is located approx. 43m to the north of the site and there are properties located on the intervening land. Due to this, it is not considered that the proposed development would impact on the setting of this Listed Building and therefore no concerns are raised with regards to Policy CS20 of the Gravesham Local Plan Core Strategy 2014 and section 16 of the National Planning Policy Framework 2021.

Amenity of Future Occupiers

The flats located to the front of the building are approx. 11m away from the existing parking area. The proposed front parking area would be approx. 2m away from these flats. This raises concerns in terms of loss of privacy and noise, disturbance and pollution from car fumes.

Neighbouring Amenity

The increase in parking spaces would improve the amenity of the area for neighbouring properties if the spaces were made available to everyone. It is not clear from the application whether this would be the case.

Overall Policy CS19 requires new development to safeguard the amenity, including privacy, of its occupants and to avoid adverse environmental impact from pollution, including noise and air odour. The proximity of the proposed parking spaces to habitable room windows will result in a development that is contrary to this policy and para. 130f of the National Planning Policy Framework 2021.

Parking and Highways

No objection subject to conditions relating to surface water drainage and allocated disabled parking.

Parking bays at the end of the aisles adjacent to any soft or hard landscaping above a kerb height above carriageway should be 2.7 metres wide to facilitate access to both sides to the vehicle.

Conclusion

The increase in parking and resultant loss of soft landscaping, due to its prominent location along Orlick Road and Lapis Close will result in an urbanising impact on this semi-rural street scene to the detriment of the character and appearance of the area contrary to Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

The proposed parking areas will result in an increase in noise, disturbance, odour and loss of privacy to the habitable room windows of the ground floor flats to the detriment of the enjoyment of the amenities of these dwellings for their occupiers and therefore conflicts with the objectives of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021.

Recommendation:

Refuse.

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 9 February 2022.	Dated: 24 th February 2022