

Delegated Report

Householder Planning Application

Planning Application No: 20240734

Location: 67 St Hildas Way Gravesend Kent DA12 4AZ

Description: Formation of a vehicular access, engineering operation, including new steps and new retaining wall, to facilitate hardstanding area.

Applicant: Miss Fiona Bollen

Site Visit Date: 19.09.24

Submitted Documents/Plans

Application Form;
Drawing No. 0180-EAG-00-00-DR-V-302 P01 – Side Sections – Existing and Proposed;
Drawing No. 0180-EAG-00-00-DR-V-303 P01 – Front Section – Existing and Proposed;
Drawing No. 0180-EAG-00-00-DR-V-101 – OS Plan and Block Plan;
Drawing No. 0180-EAG-00-00-DR-V-102 – Front Layout – Existing;
Drawing No. 0180-EAG-00-00-DR-V-103_P01 – Front Layout – Proposed;
Drawing No. 0180-EAG-00-00-DR-V-301_P01 – Sections – Existing and Proposed; and
Drawing No. 0180-EAG-00-00-DR-V-201_P01 – Street Scene – Existing and Proposed.

Relevant Planning History

No relevant history.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed and beautiful places

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Design for Gravesham Design Code (2024); and
- Householder Extensions/Alterations Design Guide (2021).

Other Relevant Guidance

- Kent County Council Vehicle Crossing: - Guidance and Self-Assessment (2018)
- Driveway Dropped Kerb Guidance
- Front Driveway Guidance

Consultations, Publicity and Representations

Consultees

Local Ward Councillors

No comments received.

KCC Highways and Transportation

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

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

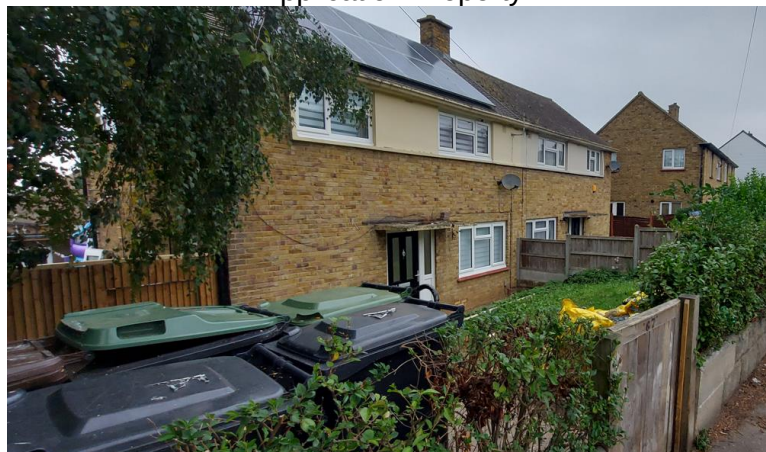
Six surrounding properties were consulted, a site notice was displayed on 12.09.24 and no responses were received. The overall consultation period expired on 04.10.24.

Site Description

67 St Hildas Way is a two storey semi detached property fronting the north-westerly side of St Hildas Way. Properties in the immediate vicinity, on this side of the road, are set down from the highway.

Site Photos

Application Property

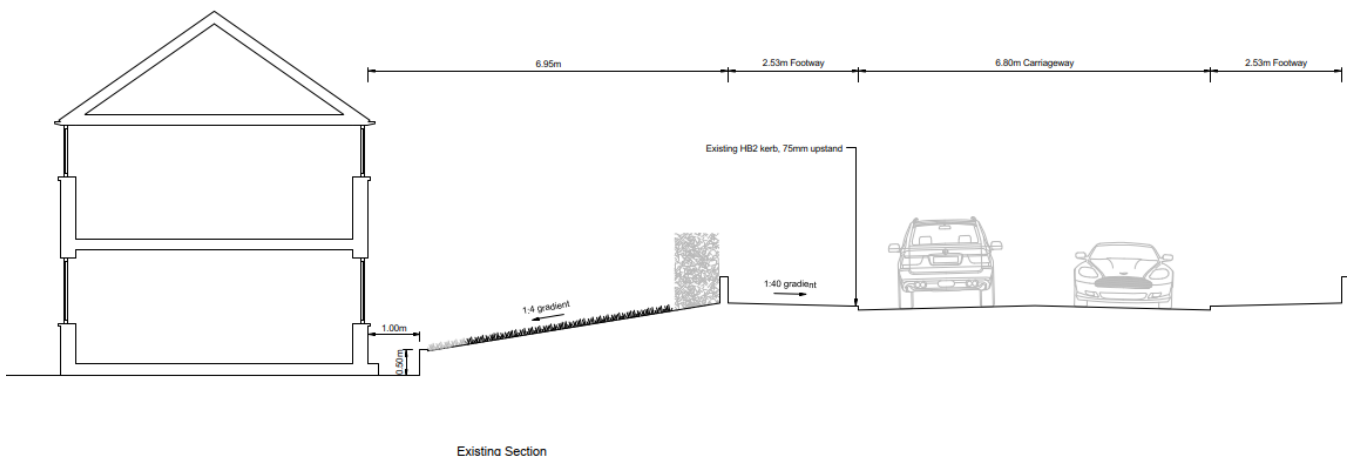


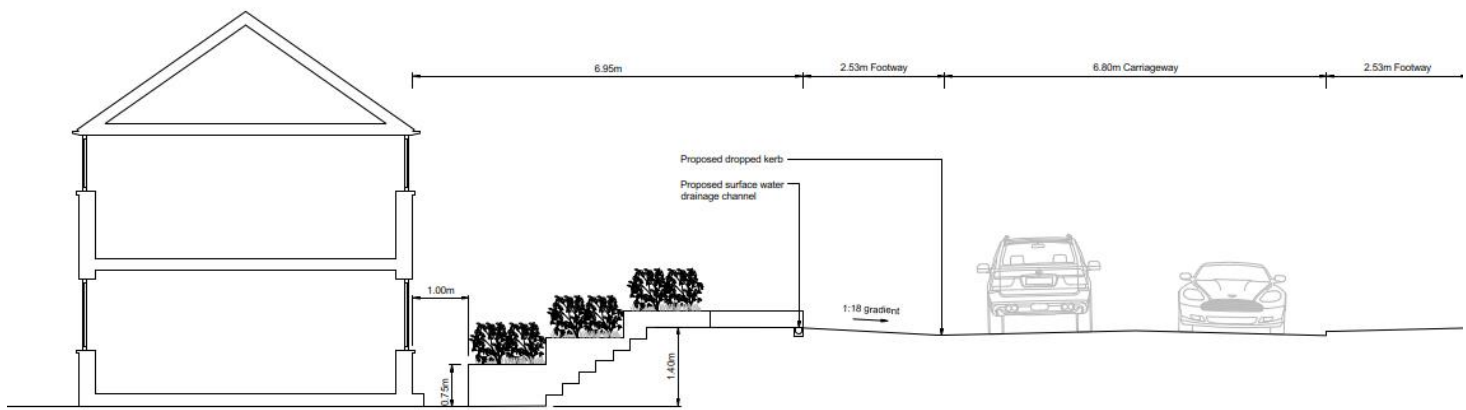


This application proposes the formation of a vehicular access, including an engineering operation, new steps and new retaining wall, to facilitate a hardstanding area.

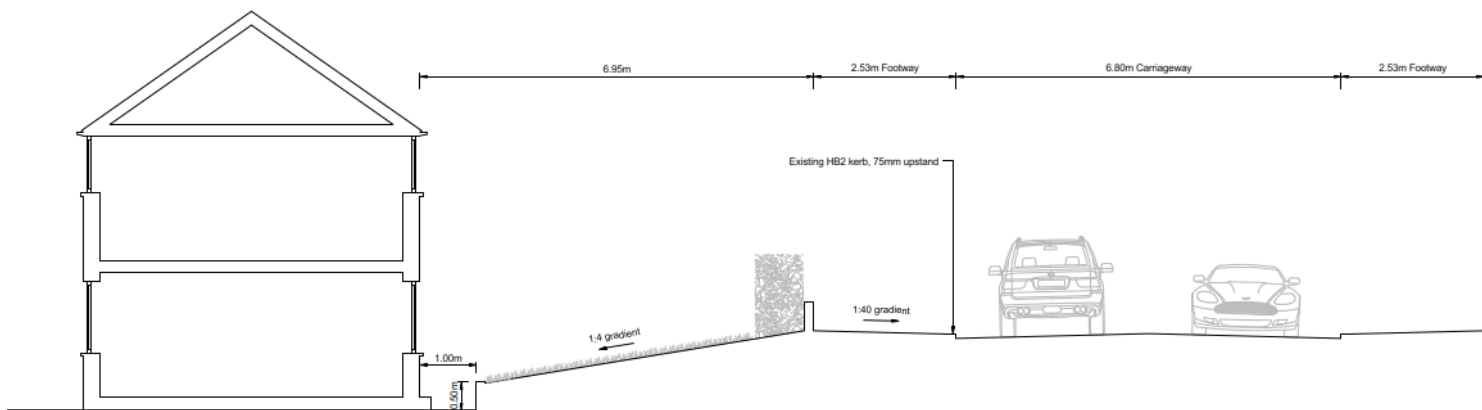
Proposed Development

The plans indicate development would create space for three cars and proposes to include three tiered planters. The existing grass lawn, hedging and dwarf wall would be lost as a result of the development.

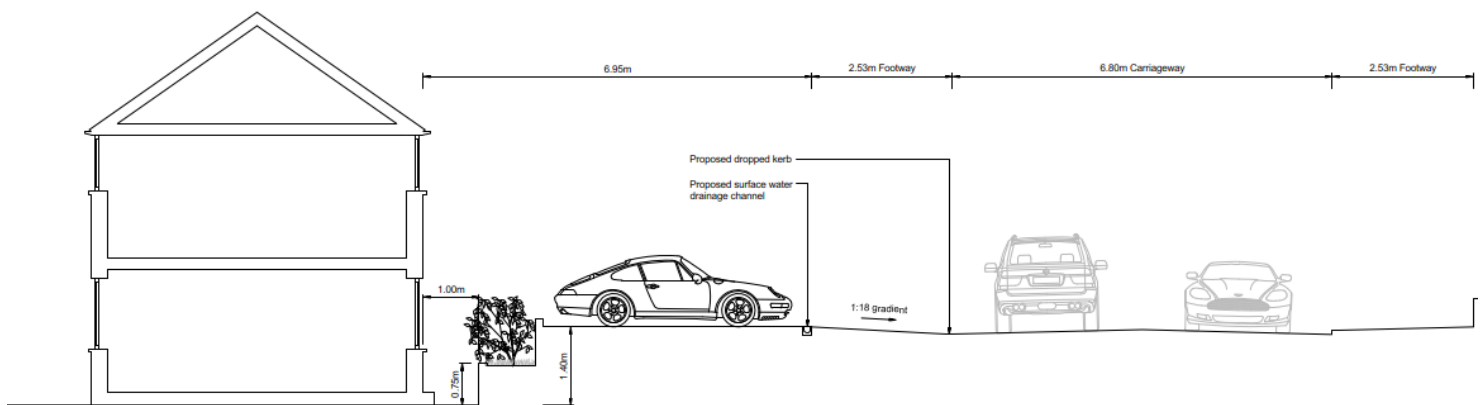




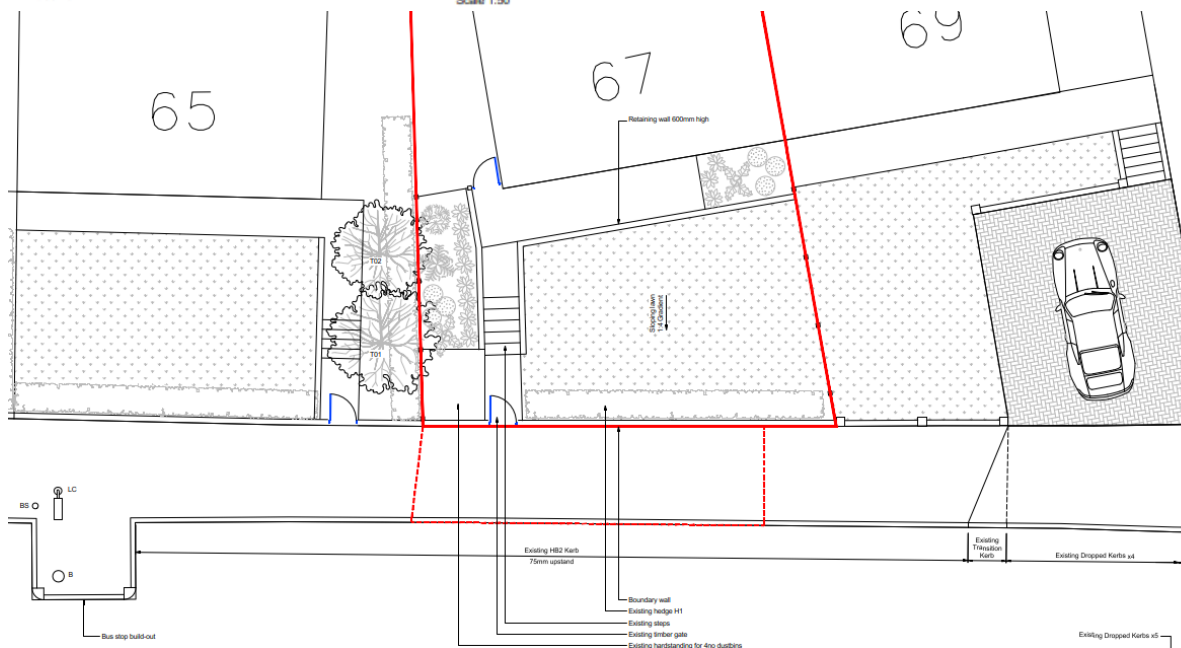
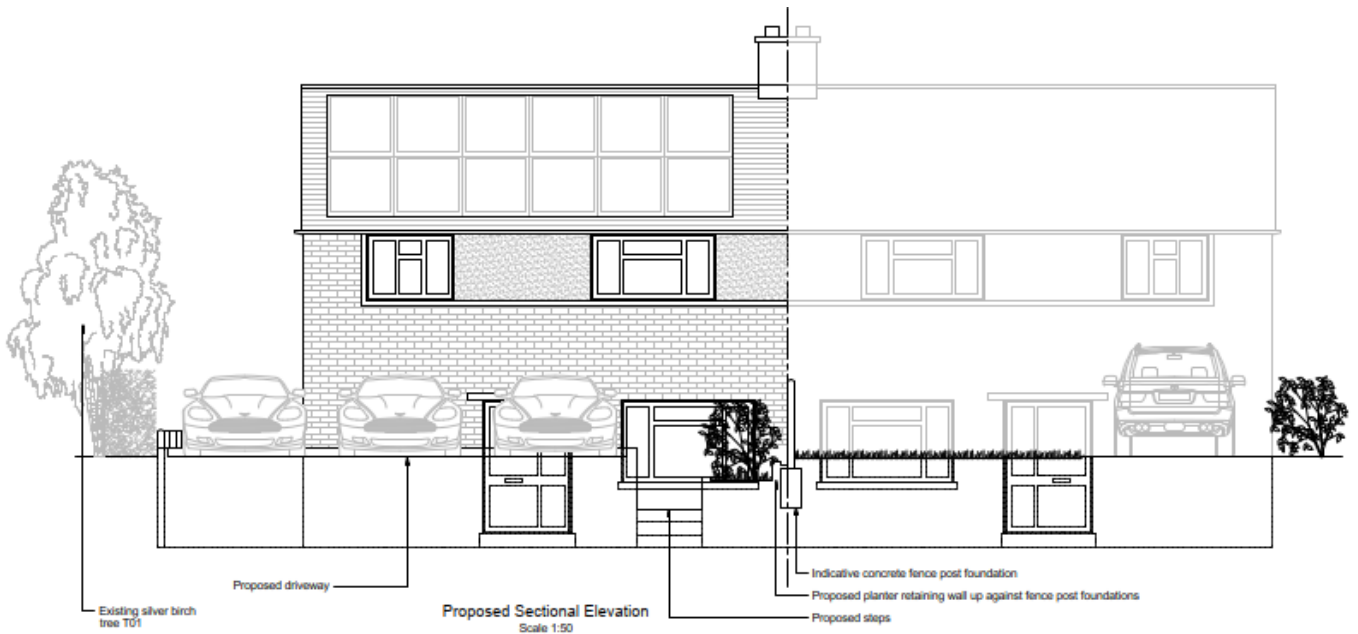
Proposed Section



Existing Section



Proposed Section



Front Gardens & Parking

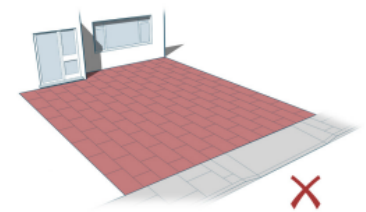
10.21 The laying of hard surfaces to the front gardens of houses often do not require planning permission. More advice is available on our website here: <https://www.gravesham.gov.uk/home/parking-and-roads/dropped-kerbs/overview>

Where planning permission is required, account will be taken of the need for additional off road parking provision and the following considerations will apply:

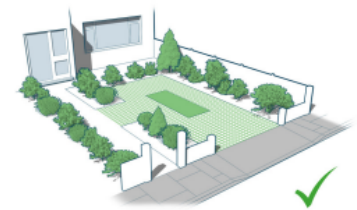
- Hardstanding should be proportionate to the size of the dwelling and the relevant car parking standards and avoid paving over a significant amount of the forecourt. Soft landscaped planted border along all boundaries should be provided in all spaces not specifically defined as parking or turning spaces.
- 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 Appendix 1)

10.22 Aside from the potential need to gain planning permission if a new dropped kerb and crossover is required, applicants must apply for and obtain consent via the relevant landowner (if crossing private / third party land, such as amenity strips) as well as the highway authority.



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. Introduce permeable paving to new areas of hardstanding to minimise rainwater run-off issues, as per the requirements of Permitted Development.

The submitted plans do not accord with the principles of the Design Guidance (2021). The proposal would result in the complete loss of the grass lawn, established hedging and dwarf wall, which contributes positively to the main dwelling and street scene, as aforementioned above. Furthermore, the proposal would result in engineering works, hardstanding and hard landscaping that would significantly cover the existing soft landscaped garden. It is noted that the proposal does include three tiered planters, however, this is minimal and is not considered to mitigate the harm caused by this proposal. The expanse of three parking spaces appear excessive for this semi-detached property, and remove the opportunity to retain more soft landscaping to soften the appearance of the development. In addition, it is noted that the bins are currently stored on the lawn area, it is unclear where the bins would be stored, post development.

Materials

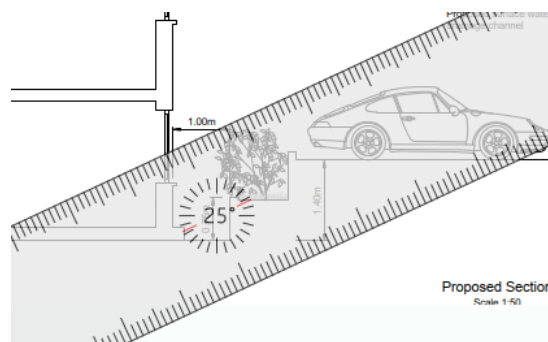
The hardstanding area would be constructed using block paving, which could be conditioned to ensure it would be permeable and appropriate. The proposed planters and retaining walls would be constructed using reinforced concrete blocks with a white rendered finish. This is considered to be poor design and would not be sympathetic to the existing dwelling, nor would it contribute positively to the street scene. As established by the Planning Inspector for a dismissed appeal at 80 St Hildas Way, Gravesend (reference

APP/K2230/D/19/3226128), whereby similar materials were proposed, the Inspector stated, *'the breeze block supporting wall surrounding the driveway is, in its current form, unattractive and visually obtrusive in the street scene and has a harmful effect on the character and appearance of the area. The Inspector goes on to say, 'Due to the difference in levels between the road and the houses, there are many examples of retaining walls surrounding driveways in the immediate area. Whilst some of these are similarly harmful to the street scene, the majority are formed by brick walls, or blocks capped with bricks or stone which are generally more appropriate in appearance within a residential area. I note the appellant's comments that the materials and final finish of the proposed development could be dealt with by condition. However, in the absence of any details before me, I cannot be sure that a satisfactory external appearance could be adequately controlled and secured by way of a planning condition. The proposal would have a harmful effect on the character and appearance of the area and as such would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) which requires new development to be visually attractive, fit for purpose and locally distinctive and to make a positive contribution to the street scene, public realm and the character of the area. It would also conflict with the National Planning Policy Framework (2019) as it would not add to the overall quality of the area.'* As such, the proposal, as submitted is considered harmful to the character and appearance of the host dwelling and area.

Overall, the proposal is considered contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2023.)

Amenity of Future Occupiers

The proposal would result in off-road parking for future occupiers. There is some concern regarding the light levels and outlook of future occupiers as the ground floor window would face the development. However, the plans indicate, the property would receive sufficient light, and the majority of the window would face the proposed new steps and planting area:



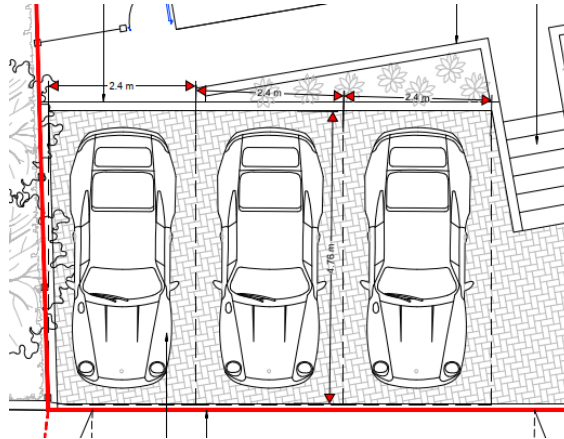
Therefore, on balance, the development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2023).

Neighbouring Amenity

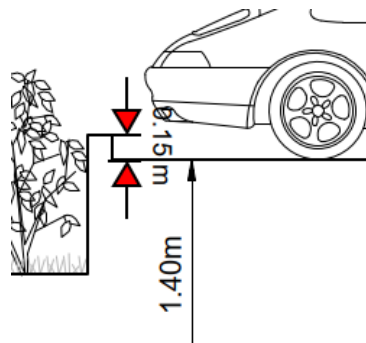
No neighbour responses were received as a result of the consultation carried out for the proposal. In situ, the development is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2023).

Highways and Parking

The plans show that the proposed parking areas would be 2.40m (width) x 4.76m (depth).



This is contrary to the requirements set out in SPG 4 - KCC Parking Standards (2006) and Gravesham's Householder Extensions/Alterations Design Guide (2021), which state car parking spaces need to be a minimum of 2.50m wide (2.7m where spaces adjoin an enclosed boundary) and 5.00m deep. As such, the spaces are substandard and the hardstanding area cannot provide space for three cars. In addition, the retaining wall directly behind the spaces is very low:



Furthermore, no visibility splays have been provided. To ensure highway safety, driveway design should incorporate 2.00m x 2.00m visibility splays on either side, with any hard or soft landscaping limited to 0.60m in height. Although the soft and hard landscaping within neighbouring properties is outside of the control of this application, it is considered that it may be possible to achieve the required visibility via amendments and redesign. However, given the other issues raised above, this would not constitute a small amendment and as such, the application should be determined as submitted.

Overall, the proposal would result in a substandard parking area, contrary to SPG 4 - KCC Parking Standards (2006) and Gravesham's Householder Extensions/Alterations Design Guide (2021). In addition, the plans fail to demonstrate sufficient visibility splays in the interest of highways safety and is therefore contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 9 of the National Planning Policy Framework (NPPF) (2023).

Biodiversity

The proposed development would result in the loss of the lawn and established Hawthorn hedge. Whilst this is unfortunate, it is noted the front garden could be hard paved now, without planning permission, providing there are no land level changes and providing that permeable materials are used. The plans do show some new proposed planting and therefore, in terms of biodiversity, the proposal is considered to be acceptable in respect of Policy CS12 (LPCS) (2014).

Any Other Material Planning Considerations

Archaeology

The site lies within an area of multi-period archaeological potential. However, the proposed development is

unlikely to have any archaeological impact.

Groundwater Protection Zone

The site is located within a Groundwater Protection Zone 2 area, however, the proposal would be unlikely to be impacted by this constraint.

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The proposed development is considered to be of poor design, resulting in the loss of the grass lawn established hedging and dwarf wall, with its replacement including a large expanse of hard landscaping, which is considered to be detrimental to the character and appearance of the existing dwellinghouse and street scene. As such, the proposal would be contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (2023).

Overall, the proposal would result in a substandard parking area, contrary to SPG 4 - KCC Parking Standards (2006) and Gravesham's Householder Extensions/Alterations Design Guide (2021). In addition, the plans fail to demonstrate sufficient visibility splays in the interest of highways safety and is therefore contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 9 of the National Planning Policy Framework (NPPF) (2023).

Recommendation

Refusal

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

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	9th October 2024	Dated:	9th October 2024