

Delegated Report

Householder Planning Application

Planning Application No: 20230337

Location: 70 London Road Northfleet Gravesend Kent

Description: Installation of a vehicular crossover.

Applicant: Mrs Jelena Condac

Site Visit Date: 7 June 2023

Submitted Documents/Plans

Site location plan
Existing block plan
Proposed block plan
Existing plan
Proposed plan
3no. photos

Relevant Planning History

None at this address.

72 London Road Creation of a new vehicular access and associated hardstanding area.
Refused 20 July 2016 (20160529)

This application was refused for the following reasons:

1. The proposed vehicle access and hardstanding would be unsafe in terms of its impact upon the highway and would be hazardous to all road users; the proposed development would not provide sufficient space for vehicles to enter or leave the site in a forward gear, leading to vehicles reversing out onto the busy B2175 or stopping on the carriageway in order to reverse to the detriment of highway's safety. The presence of parked vehicles within the layby fronting the site would also increase the hazards such manoeuvring. Moreover, the application site already benefits from an alternative means of vehicle access which does not affect the main road. The proposed development is therefore contrary to Policy C11 of the Gravesham Local Plan Core Strategy September 2014, Policy T5 of the Gravesham Local Plan First Review November 1994 and to the advice set out in the Vehicle Accesses on Classified Highways Planning Guidance Note 6 February 2009.
2. If permitted the proposal would encourage other similar applications within the locality, which the Local Planning Authority would have difficulty in refusing, leading to additional hazards to the highway network. The proposed development is therefore contrary to Policy C11 of the Gravesham Local Plan Core Strategy September 2014, Policy T5 of the Gravesham Local Plan First Review November 1994 and to the advice set out in the Vehicle Accesses on Classified Highways Planning Guidance Note 6 February 2009.

The application was dismissed at appeal (APP/K2230/D/16/3158920 – appendix 1).

The Inspector made clear that policy CS11 is only applicable to new development and therefore not applicable to dropped kerbs. The Inspector raised concerns regarding the loss of parking bays to the front and lack of space to turn vehicles around within the confines of the site. This would result in a good likelihood that the appeal development would result in vehicles reversing onto the highway. In terms of vehicles leaving the drive in a forward gear, the Inspector found that there would be a significantly increased danger of collisions as a result of the appeal development due to this eastward manoeuvre and highway safety would be unacceptably compromised.

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
- 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
- 4 – Decision-making
- 12 – Achieving sustainable development and well-designed places
- 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006);
- Planning Guidance Note 6 (2009)
- Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

Consultees

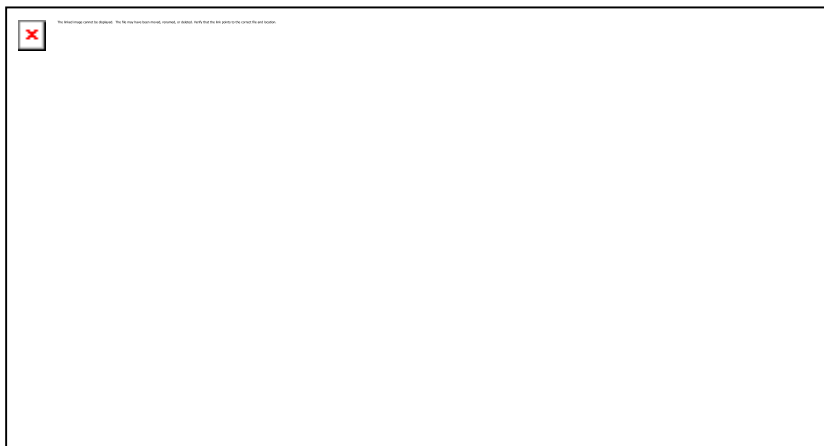
GBC Highways

This proposal gets an automatic recommendation of refusal. London Road is a 'B' classified Road, so according to PGN6 on site turning should be provided as vehicles can leave and enter the highway in forward gear and there is insufficient space to do this.

If you were minded to approve the driveway, it would have to be constructed from a bound permeable

material as soakaways are not possible and no surface water should enter the highway.

This section of London Road has a permit parking scheme operating Monday to Saturday, with permit holders only permitted between Midnight and 8 am and during the day permit holders can park at any time, whilst non permit holders can only park for a maximum of 2 hours with no return within 2 hours. There is also a bus stop outside the property, although it does not have the benefit of a raised kerb to assist entry/exit to/from the bus.



70 London Road also benefits from a rear vehicular access and what appears to be a garage, so off street parking is or could be available at the rear of the property..

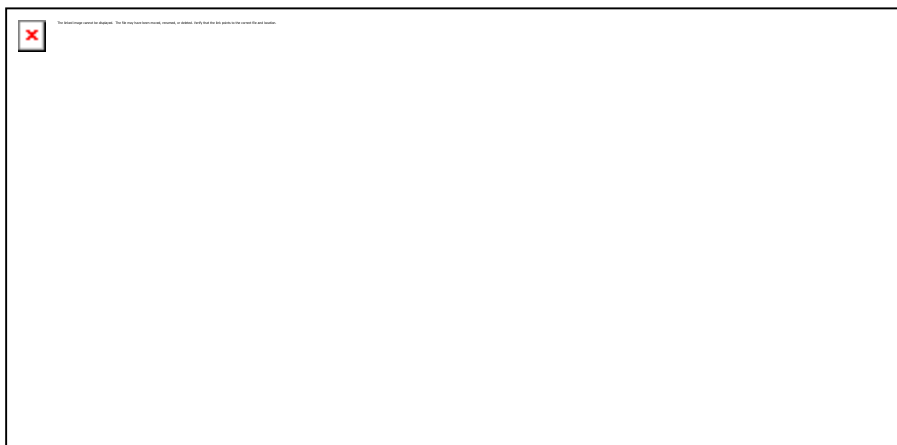
Kent County Council as Highway Authority give the following guidance, although this has not be formally adopted by anyone as supplementary guidance.

https://www.kent.gov.uk/_data/assets/pdf_file/0003/139485/Dropped-Kerb-Application-Guidance.pdf

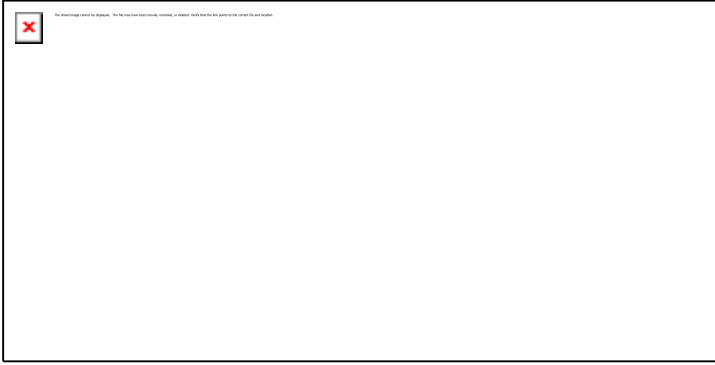
4/ Separate Entrance and Exit

You may apply for a separate entrance and exit or an additional access point where one already exists, but the general rule is that increasing the number of points on a highway where vehicles turn, increases the potential for traffic conflict. We will assess the site on its own merit and will only be granted if there is no significant impact to on street parking demand.

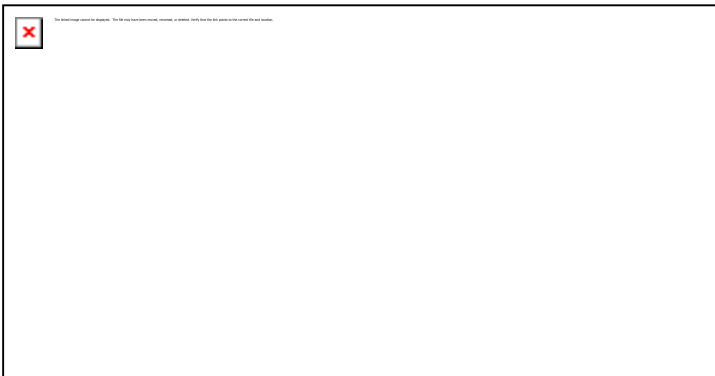
As previously identified the property already benefits from a vehicular rear access and a scan of the Google Street View images, shows a reasonable level of on street parking.



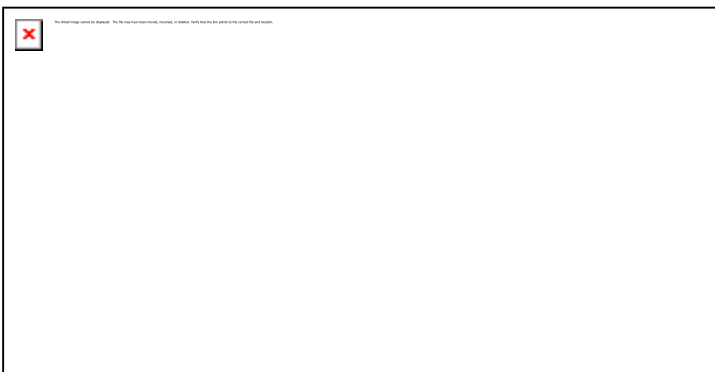
November 2022



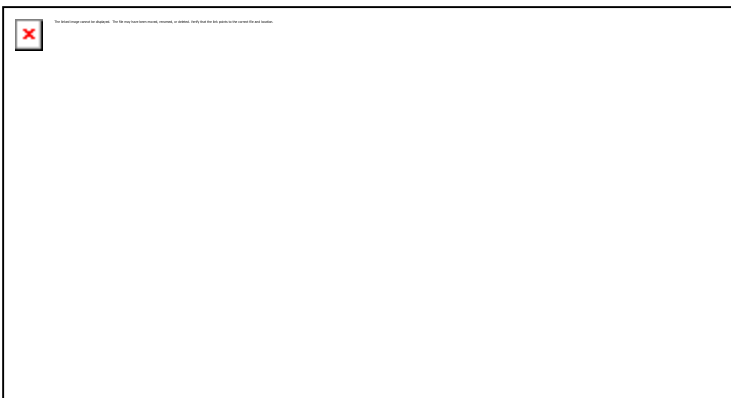
April 2021



December 2020



May 2018



August 2017

These images show a fluctuating demand, and it is doubtful it shows maximum demand when all residents are home. And given the guidance issued by Kent County Council, it is doubtful their approval would be

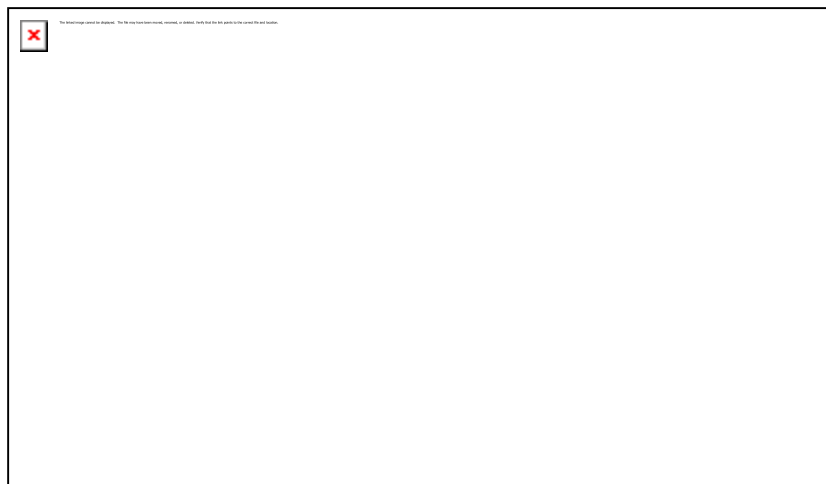
forth coming.

I note Parking Services have identified the applicant would have to apply to vary the Parking Bay Traffic Regulation Order, and as this is subject to its only legal process, the outcome cannot be guaranteed. This would mean any approval would have to be subject to a Grampian condition.

Given the size of the front garden, any driveway would have to be constructed from a bound permeable material to ensure adequate drainage is provided whilst complying with the requirements of the Building Regulations and ensuring no material is dragged onto the highway, which would be an offence under the Highways Act 1980.

Given the proximity of the Bus Stop this may need to be relocated and again would have to be carried out at the cost of the applicant, assuming a suitable location could be provided.

Whilst it is noted that the property on the corner of Marina Drive has gates and a car parked in front of a garage. The property does not appear to have a dropped kerb, and so no access over the footway has been permitted by the Highway Authority



Google Street View November 2023

GBC Parking Services

The Council would have to make an amendment to the Traffic Regulation Order to make a gap in parking bays to accommodate the dropped kerb, this would cost £1,500 which would be payable by the applicant. The Council would also have to go out to consultation with nearby neighbours, so if there were objections to the proposed restriction changes, this may prevent the proposals from going forward.

Neighbouring properties

The application was advertised by site notice and individual letters to two neighbouring properties. No letters of representation have been received.

Officer's Analysis

Design, Character and Appearance

The application site is a two storey mid-terrace dwelling with a front garden laid to lawn bounded by a low level wall:



The character of the area is two storey terraces with front gardens and low boundary treatments. The road is wide and a main route between Gravesend and Northfleet. Opposite is a car wash and some three storey flats. There are parking bays to the front of the dwellings. There are no other dropped kerbs in front of this row of houses.

The current garden is laid to lawn with an approx 1m high boundary wall. The loss of this front garden with no mitigation would result in loss in biodiversity and therefore would be contrary to policy CS12 of the Gravesham Core Strategy 2014 and para. 180 of the National Planning Policy Framework 2021.

In addition to this, the loss of the front garden would result in a hardening of the street scene where these small planted front gardens provide relief to the urban character of the area. This would be contrary to policy CS19 of the Gravesham Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

Neighbouring Amenity

The proposed driveway will not add any more volume to the property and therefore will have no detrimental impact on any neighbouring property in terms of loss of outlook, privacy, sunlight or daylight.

There will be an impact on the competition for spaces outside of the dwelling as a space within the parking bay would be lost to the development. This does have a detrimental impact on residential amenity.

Parking and Highway Safety

London Road is a 'B' classified Road, so according to Planning Guidance Note 6 on site turning should be provided as vehicles can leave and enter the highway in forward gear and there is insufficient space to do this. Not only would the proposal result in the loss of on street parking, and potentially create further competition and demand for parking, vehicles will not be able to turn on site which will increase the likelihood of cars reversing onto the main road compromising highway safety. This was raised as a concern by the Planning Inspector at the appeal for no. 72.

The proposal therefore conflicts with the objectives of saved policy T5 of the Gravesham Local Plan 1994.

Conclusion & Recommendation

1. The proposed vehicle access and hardstanding would be unsafe in terms of its impact upon the highway and would be hazardous to all road users; the proposed development would not provide

sufficient space for vehicles to enter or leave the site in a forward gear, leading to vehicles reversing out onto the busy B2175 or stopping on the carriageway in order to reverse to the detriment of highway's safety. The presence of parked vehicles within the layby fronting the site would also increase the hazards such manoeuvring. Moreover, the application site already benefits from an alternative means of vehicle access which does not affect the main road. The proposed development is therefore contrary to Policy T5 of the Gravesham Local Plan First Review November 1994 and to the advice set out in the Vehicle Accesses on Classified Highways Planning Guidance Note 6 February 2009.

2. The proposed development, due to the loss of the garden area and front boundary wall will result in a loss of biodiversity and a hardening of the street scene to the detriment of the character and appearance of the area. The proposal is therefore contrary to Policies CS12 and CS19 of the Gravesham Core Strategy 2014 and paras. 130 and 180 of the National Planning Policy Framework 2021.

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	10th July 2023	Dated:	10th July 2023