



Delegated Report

Householder Planning Application

Planning Application No: 20221019

Location: 1 The Yews Gravesend Kent DA12 1PA

Description: ***REVISED PLANS/DESCRIPTION*** Formation of vehicular access and dropped kerb to the rear and erection of detached double garage in the rear garden.

Applicant: Mrs Tracy Batchelor

Site Visit Date: 23 November 2022

Submitted Documents/Plans

Householder Planning Application form;
Drawing no. 22031.01B Existing block plan and location plan;
Drawing no. 22031.03B Proposed block plan;
Drawing no. 22031.05B Proposed layout and elevations;
Confidential Planning Statement;
Photographs taken around the application site; and
Email from the applicant received 04 December 2022.

Procedural Issues

Following a request by the case officer that the application details show all the land on which the proposed driveway would be located, the applicant expanded the application site to include land located adjacent to the application property (this land is highways land owned by Kent County Council (KCC)). As the proposed development would encroach over land owned by KCC, notice was served on them and ownership certificate B was submitted by the applicant.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220708	Demolition of rear conservatory and erection of single storey rear extension, and conversion of the integral garage into habitable rooms	Permitted	18.08.2022

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

- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on Highway Network
- T5 – Access to the Identified Highway Network
- P3 – Vehicle Parking Standards
- TC7 – Other Archaeological Sites

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
- 12 – Achieving sustainable development and well-designed places

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021)
- KCC Vehicle Crossing Guidance and Self Assessment (2013)
- Residential Dropped Kerb Guidance and Self-Assessment (September 2022)

Consultations, Publicity and Representations

GBC – Highways Officer

Kent County Council have recently revised their guidance regarding carriage crossovers and I'm therefore reviewing this application given the new guidance, which means any previous comments are now void. The guidance had been revised in September 2022, but it seems a recent amendment has been made as the document now slightly differs and there has been a change in font.

Kent County Council guidance states;

"4/ Separate Entrance and Exit

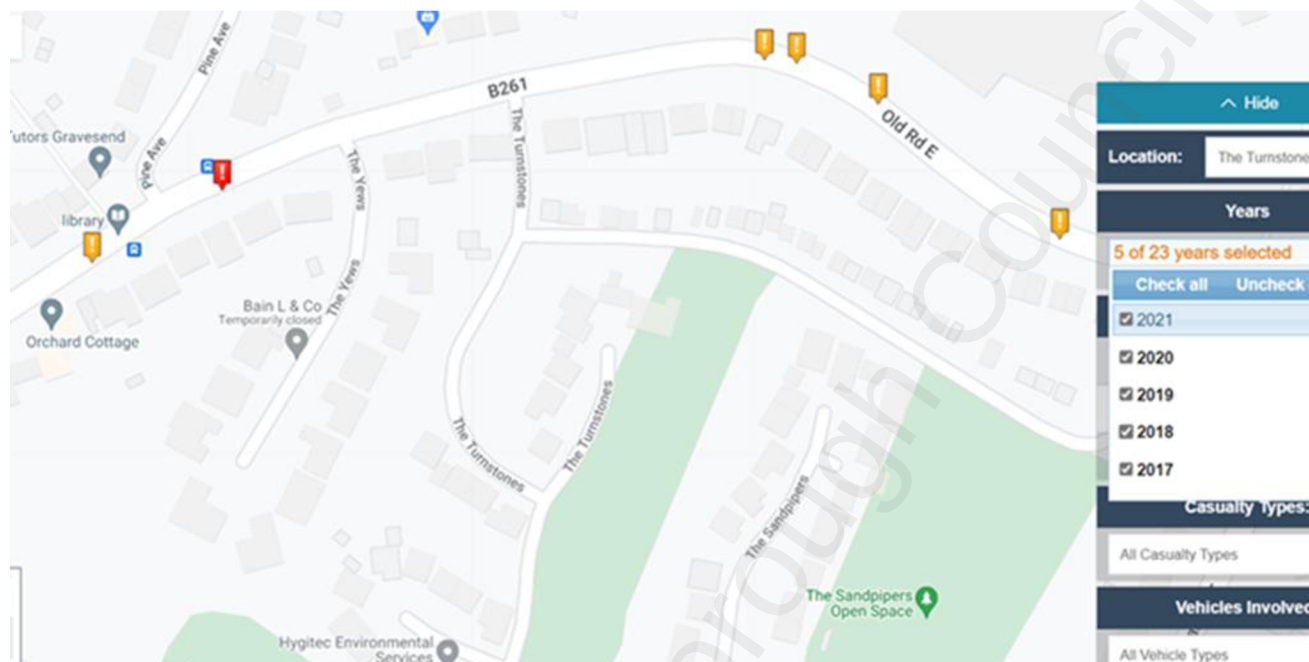
You may apply for a separate entrance and exit or an additional access point where one already exists, but the general rule is that increasing the number of points on a highway where vehicles turn, increases the potential for traffic conflict. We will assess the site on its own merit and will only be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

Here part of the new access would be directly onto the highway where waiting restrictions would apply and so for that section of road no on street car parking would be lost in addition the limited information available from Google Street View shows all on street parking occurring on the side of the road opposite to the new access. Although it is accepted at the schools close the situation may be different for a short period of time and this issue has been raised by some of the objectors.

In terms of traffic flows, The Turnstones is a short cul-de-sac serving some 28 properties in The Turnstones and 11 in The Lapwings. It is noted there is a rear access to properties on Old Road East and Valley Drive

to the north, but this access appears to be a loop with another access point near the Old Road East/Valley Drive junction. Also, as it is slightly to the north of the proposed access for 1 The Yews it does not generate any additional traffic passing the new access. So, a new access is unlikely to have an impact on road safety.

Looking at Crashmap, there are no recorded injury accidents in the period 2017 to 2021 in either The Yews or The Turnstones..



With regards to the garage doors ideally, they should be set back a minimum of 6 metres from the highway boundary to ensure gates are opened or closed whilst a car is parked clear of the footway and carriageway. Here the 6 metres extends to the carriageway which is not ideal and also conflicts with the latest KCC guidance which requires a 6 metre drive in front of a garage, which should be on land wholly within the ownership of the applicant and not on highway or land in third part ownership.

Referring to the current Kent County Council guidance

Space Criteria Table- Minimum Measurements Required

How will you park the car	Width(minimum)	Depth(minimum)
A/ Perpendicular -Parking area at right angles to the road	2.4 metres	4.8 metres
B/ Perpendicular with access Point - Parking area in front of access door or garage	2.4 metres	6 metres
C/ Parallel -Parking area parallel to the road	6 metres	3 metres
D/ Parallel with access point – Parking area to parallel to the road	6 metres	4.2 metres
E/ Separate Entrance and Exit - Driving on and off the parking area	15 metres	4.2 metres

See criteria B above

With regards to the relocation/removal of the highway waiting restriction sign, this would have to be funded by the applicant. However, my understanding is as double yellow lines indicate there is no waiting at any time, additional signage is no longer required, this would have to be confirmed by KCC or the Council's enforcement team.

With regards to the manhole chamber in the front garden that prohibits any further improvement works in the front garden. Generally, although it would be at the applicant's expense, manhole covers and chambers can be lowered, to permit other works to take place. Similarly, any pipes can usually be lowered or diverted to accommodate improvement works.

Whilst there is no maximum car parking requirement for a residential property, the need to accommodate ten vehicles at a single family dwelling does appear to be excessive and appears to be only required when the whole family is in attendance, which is no different to most other families, where visitors have to find suitable parking or use alternative means of transport to avoid the need to find a parking space.

In highway terms I have no reason to object to the proposal, providing the garage is set back at least 6 metres from the property boundary, the drive is constructed from a permeable material, no gates are installed on The Turnstones frontage in front of the garage and appropriate footway and carriageway visibility is available

Kent County Council's guidance for visibility for a carriage crossover is copied below.

6/ Visibility & Sightline Requirements

Will you be able to see pedestrians and vehicles clearly enough to drive out of the driveway without causing danger to yourself or other road users? In order to determine if the visibility and sightlines meets the required standard, a site inspection will be needed from an experienced officer.

Footway Visibility - For pedestrian visibility, **a splay of at least 2m x 2m with a maximum height of 0.6m from the back of footway will be required.** Greater visibility may be required on faster and busier roads and therefore your application will be assessed on site specific criteria.

There should be no obstruction to visibility (walls, vegetation, fencing, etc) over the height of 0.6m above footway level.

Carriageway Visibility - Sight lines are defined by the visibility setback (the X dimension) and the forward visibility required enabling a vehicle to stop safely (the Y dimension). Where it is in the applicant's control, the following minimum requirements should be satisfied: Footway visibility X-dimension 2.4m from back of footway Y-dimension: based upon the following speed limits:

20 MPH	25m
30 MPH	43m
40 MPH	149m
50 MPH	160m
60 MPH	203m

NOTE: You may be asked to consider alterations to obtain application approval.

Sight line distances are calculated from the relevant formula in Manual for Streets 2.

Note the Kent County Council guidance referred to is.

Dropped Kerb Application Guidance and is available at.

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

Pedestrian visibility splays are generally 2m x 2m measured from the back edge of the footway and down either side of the drive, so this takes them outside the red line boundary.

No surface water should discharge from the property onto the highway and an appropriate drainage solution would be required, giving due regard to Building Regulations, in particular no soakaways should be within 5 metres of the highway or a building.

GBC – Environmental Protection Team (Regulatory Services)

Landfill Gas:

The proposed development is located within the Pine Avenue and Holyoake Mount Historic Landfill Site Buffer Zones where ground gasses may be a concern. To preserve future use of the proposed building, a gas impermeable membrane shall be incorporated within the structure along with a ventilated sub-floor area. Any services entering/leaving the structure should be located above the gas impermeable membrane or adequate seals will have to be provided if the membrane has to be breached.

- a) Prior to the works commencing, details of the foundation design, including the gas impermeable membrane should be submitted and approved by the LPA.
- b) Once installed, a report shall be provided from the installation company confirming all works were completed satisfactorily.

Watching Brief:

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out

Code of Practice on Construction and Demolition:

Please apply

Smoke Control Informative:

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed.

When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk.

KCC – Highways & 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.

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.

Southern Gas Networks
No response received.

Neighbouring properties

The application was publicised by a site notice (which was posted on two occasions following the removal of the initial notice) and to ten neighbouring properties by letter. Five representations (two from the same resident) have been received and are summarised as follows;

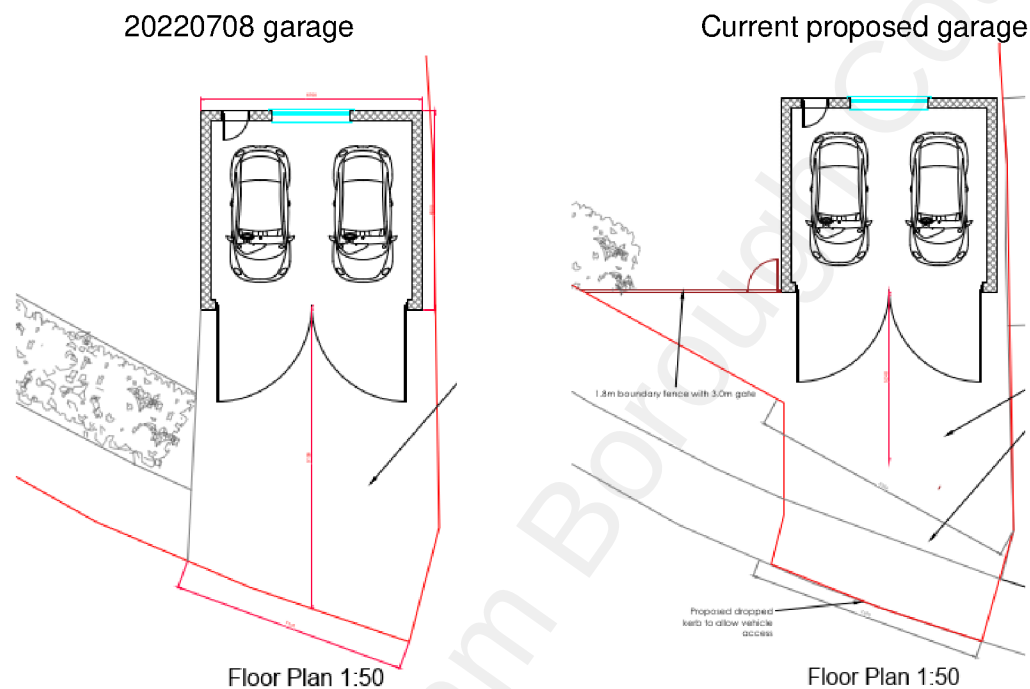
- Space is available to extend the existing garage at the application site.
- Plenty of vehicle parking space is available on the site frontage.
- Adverse impacts of additional vehicle movements in The Turnstones.
- Increased potential for collisions in The Turnstones.
- Inconsiderate parking (by residents and persons accessing St Johns school) in The Turnstones already restricts access for emergency vehicles and endangers pedestrians.
- The proposal would be located on a bend and narrow road and be detrimental to highway safety.
- The pathway is frequently used and the proposal would cause adverse impacts to pedestrian (including school children) safety.
- The proposal would set a precedent for a row of garages in The Turnstones.
- Loss of trees and vegetation in The Turnstones.
- Adverse visual impact.
- Overdevelopment of the site.
- This should not have been allowed to become a planning application.
- The land adjacent to the application site is owned by Kent Highways.
- The residents of The Yews do not maintain the vegetation behind their properties, KCC does.
- Queries the extent of the publicity to neighbours.

- The site notice was removed after one day.
- The application form incorrectly suggests that there would be no impacts to hedges.
- Adverse impacts of building works.

Officer's Analysis

Background

Planning permission reference 20220708 for the demolition of a rear conservatory; erection of a single storey rear extension and the conversion of the integral garage into habitable rooms was granted in August 2022 at the application site. During the determination of that application, the proposed development was amended to remove a proposed detached garage in the rear garden, as planning permission was likely to be refused on highways, design/character and biodiversity grounds, if it was to remain part of that proposal. The following images illustrate the proposed garage under 20220708 and the current proposed garage;



The dimensions and design of the proposed garage are the same in both proposals but in the current application, the garage has been set back by some 1.5 metres and a larger area of the existing hedge would be removed to improve visibility.

Design, Character and Appearance

Paragraph 130 of the National Planning Policy Framework 2021 (NPPF) sets out various design requirements and includes the need for the development to add to the overall quality of an area; be visually attractive; and be sympathetic to local character, including the surrounding built environment. Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

In relation to garages, the Householder Extensions/Alterations Design Guide (2021) sets out that they should reflect the design, materials, character and style of the existing property and that they should not be

located in a position which would detract from the attractiveness of the street scene. In relation to outbuildings in general, the document states that they should not result in the property having inadequate garden space and should be subordinate in scale to the existing dwelling and plot.

The application property is a detached, bungalow which fronts onto The Yews, where an existing frontage parking area is located. The rear boundary of the application site fronts onto The Turnstones and is currently delineated by a mature hedge, which is highly visible in the street scene and which is an important contributor to the verdant appearance of the surrounding area. The greenery surrounding the site continues with the adjacent highways land being vegetated (albeit overgrown) and the land across the roadway being grassed with mature trees and vegetation. The following image was taken immediately outside the application site facing south along The Turnstones;



It is noted that there are two existing garages located immediately to the north of the application site and to the north east, and across the roadway, there is a rear accessway and a number of existing garages serving dwellings that front Old Road East;



The proposed development would introduce a double garage and vehicle access into the rear garden of the application site. The proposed garage would have a pitched roof and two gable ends with a maximum height of 4.6 metres and a floor area of some 40 square metres. No details of the proposed external facing materials have been provided but the driveway would be constructed from concrete.

The application property is single storey with a hipped roof and a maximum height of 5.2 metres (at the rear) and is constructed from bricks and tiles. The proposed development would have a roof design that would not match with the existing dwelling and although the footprint of the garage would be subservient in size to the dwelling, the roof height would not be. As such, the proposal would be out of character with the existing building. Furthermore, the proposed garage would be large and highly visible from The Turnstones and would result in the loss of half (around 14 metres) of an existing hedge and an area of vegetated highways land, which would significantly detract from the visual amenities of the surrounding street scene.

The existing garages located adjacent to the application site are small, have been in existence for some time and do not appear to have planning permission. The existing garages to the north east of the application site front a private accessway and with the exception of the first couple and are not widely visible from The Turnstones. Therefore the existence of these garages has not been significantly detrimental to the surrounding street scene and they do not provide an adequate justification for the proposed development.

Local residents have raised concerns regarding the proposal having an adverse visual impact and being an overdevelopment of the application site. These views add weight to the Borough Council's contentions regarding the inappropriate design and visual impacts of the proposed development.

Overall it is considered that the proposal would be out of character with the existing building at the application site and would be detrimental to the visual amenities of the surrounding street scene, particularly onto the Turnstones. As such, the proposed development would be contrary to paragraph 130 of the NPPF 2021, to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 and to the Householder Extensions/Alterations Design Guide (2021).

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight of its occupants and to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution.

According to the Residential Layout Guidelines (June 2020) (RLG), a three bedroom dwelling should have a minimum garden area of 60 square metres with a depth of 10 metres. Following the proposed development, the application site would have a rear garden area of some 290 square metres, with a depth of between 7 and 14 metres.

The proposed development would retain sufficient rear garden area and depth and as such, the proposal would provide a good standard of living for future occupiers and be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers and to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution.

The closest residential properties to the application site are no. 3 The Yews and nos. 90 to 96 Old Road East (located to the south and north respectively). Nos. 86a Old Road East is located to the west, across the roadway (The Yews) and Nos. 2-4 The Turnstones are located to the east across the roadway (The Turnstones).

Due to the design of the proposed development, to the screening provided by boundary treatments and to the layout and orientation of the surrounding properties, there would be no adverse overlooking, overshadowing or overbearing impacts to the occupiers of the surrounding dwellings.

The introduction of a vehicle access and parking at the rear of the application site has the potential to

increase the amount of noise and disturbance and light pollution impacts in the surrounding area. However in the context of the adjacent roadway and the existing garages, it is considered that any adverse noise, disturbance or light impacts would not be so significant as to warrant the refusal of planning permission.

Overall the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Parking and Highways

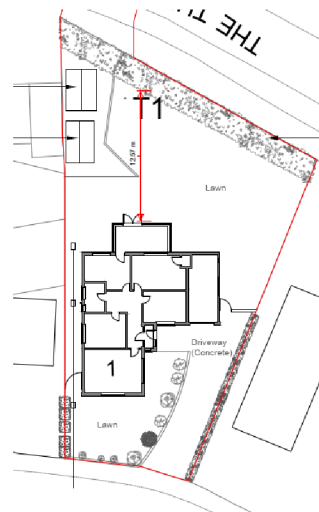
Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) requires new development to mitigate its impact of the highway and public transport networks as required and for sufficient parking to be provided in accordance with adopted parking standards, which reflect the availability of alternative means of transport and accessibility to services and facilities.

Saved Policy T5 of the Gravesham Local Plan First Review (1994) sets out that the formation of new accesses will not normally be permitted except where no danger would arise and where the proposed access is of a standard/location that is acceptable to the Local Planning and Highway Authorities.

The application property has three bedrooms and on-site parking for at least four vehicles (in a garage and on the site frontage, accessed from The Yews). It should be noted that the submitted drawings do not show the full extent of the existing frontage car parking provision. As the following images show, the parking area is wider and deeper at the rear than shown on drawing no. 22031.01B existing block plan;



Photo taken 23 November 2022



Extract from drawing no. 22031.01B

The proposed development would not alter the existing frontage parking provision, although it is noted that under planning permission reference 20220708, the integral garage could be converted into habitable accommodation.

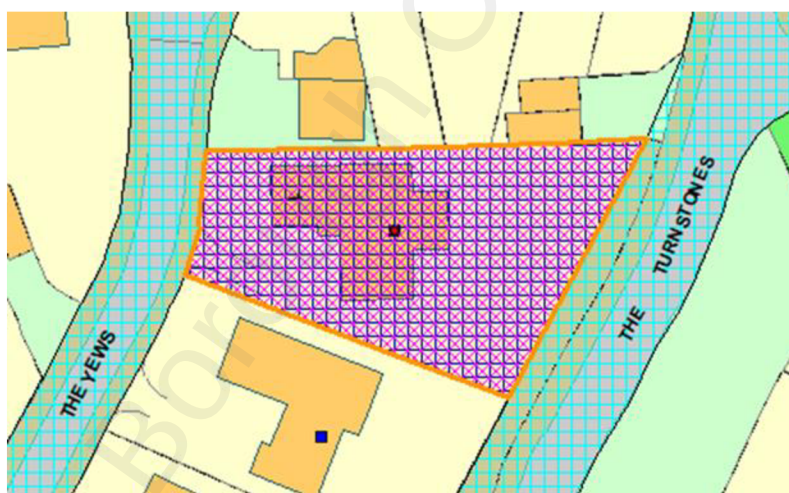
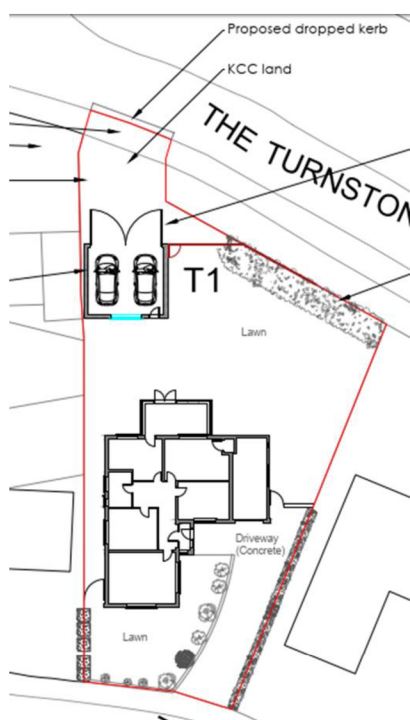
The KCC Parking Standards (2006) set out that dwellings with three bedrooms should have a maximum of two vehicle parking spaces. Therefore the application site already has parking provision in excess of the required standard (whether or not the integral garage is used for parking).

The GBC Highways Officer has not raised an objection to the proposed development but has indicated the dimensions and visibility requirements he would expect to see for an appropriate parking arrangement to be provided. Most importantly, there should be a 6 metre depth in front of the proposed garage, to ensure that vehicles can park without overhanging the highway and there should be visibility splays of 2 metres by 2 metres (with no obstruction in excess of 0.6 metres height) on either side of the driveway, at the back edge of the footpath, to ensure that drivers can see passing pedestrians.

It should be noted that at the application site, The Turnstones only has a footpath on the western side (i.e.

that runs immediately adjacent to the proposed access/garage). This footpath is used daily by pedestrians, including school children accessing St John's Catholic Comprehensive School, a pedestrian access of which is located some 66 metres to the north of the application site.

The following images show the proposed layout for the access/garage (drawing no. 22031.03B) and the extent of highways land in the vicinity of the application site. The rear boundary of the application property runs in line with the hedge, beyond which there is a narrow strip of land owned by KCC, beyond which is the footpath and finally there is the roadway. The turquoise cross hatched areas in the second image delineate highways land.



Therefore the proposed driveway would cross highway land before it reaches the footpath.

The proposed development would not provide a 6 metre depth driveway in front of the garage (within the land owned by the applicant). As such, the proposal would lead to vehicles parking whilst overhanging the highway. Furthermore the proposed development would not provide adequate pedestrian visibility splays because any splays would be located outside of the land owned by the applicant (on the KCC highway land). Therefore it would not be possible for the applicant to maintain them appropriately.

As such, the proposed development would be detrimental to highway safety and contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy T5 of the Gravesham Local Plan First Review (1994).

In relation to the formation of additional access points, Kent County Council (KCC) gave the following guidance in their Vehicle Crossing Guidance and Self Assessment (2013);

3. Separate entrance and exit

The general rule is that increasing the number of points on a highway where vehicles turn, increases the potential for traffic conflict. Therefore, applications for two access crossings to a single property, or a second access point where one already exists, will not normally be approved for domestic dwellings unless there is strong evidence that it will add significantly to highway safety. For such applications to be considered, the applicant will need to show:-

- How a second access will add to the safety of the access arrangements
- Why such added safety cannot be achieved from a single access, or by improving or repositioning an existing access.

But this document has recently been replaced with the KCC Residential Dropped Kerb Guidance and Self-Assessment September 2022, which states;

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.

It is an objective of both the KCC Vehicle Crossing Guidance and Self Assessment (2013) and the Residential Dropped Kerb Guidance and Self-Assessment September 2022 documents to restrict the number of access points to a dwelling in order to reduce traffic conflict, i.e. a second access should not be created unless it is appropriately justified in highway safety terms. Whilst it is noted that the 2022 guidance refers mainly to assessing impacts on on-street parking demand, highway safety concerns are still a material consideration in the determination of such proposals. Indeed reference to Saved Policy T5 of the Gravesham Local Plan First Review (1994) is a testament to this.

To justify the proposed development, the applicant has set out that;

- Her family is very large and when all the family members visit together, there can be ten cars parked on-site and in The Yews.
- The existing front driveway is very narrow and precludes access for some drivers and vehicles. It cannot be widened due to an adjacent sewer chamber. So some visitors park in The Yews.
- There would be no gates on the proposed driveway and the garage door opening would be within the application site.
- The proposal would provide additional safe parking for the application property, reducing on street parking in The Yews and not adversely affecting parking in The Turnstones.
- There are existing properties surrounding the application site with two access points and concrete driveways.
- In The Turnstones there is a property with rear access via double gates opening outwards across the footpath, with no dropped kerb.

It is considered that the need to accommodate ten vehicles at a three bedroom, single family dwelling is excessive and that in any event, this parking provision is only required when the whole family is in attendance. Therefore this parking demand is not permanent and indeed, it is no different to the requirements of many large families. When parking is not available on site, it is usual for visitors to have to find suitable parking elsewhere or use alternative means of transport, to avoid the need to use/park their personal vehicles in the first place. It is noted that personal preferences/circumstances rarely justify development that is otherwise unacceptable in planning terms.

Furthermore, if parking demand at the application site is so high, then the applicants could consider not converting their existing integral garage away from parking, rather than seeking to provide additional parking provision.

In addition, reducing reliance on private vehicles as a means of transport is a key sustainable objective and

can be achieved by ensuring that opportunities for parking are not excessive (amongst other things). Therefore it is considered that significantly increasing the level of on-site car parking at the application site would be detrimental to sustainability.

Physical restrictions on the usability of the existing front driveway for parking may be experienced by the applicant/visitors but it should be noted that the driveway has a width well in excess of the minimum standard (three metres at its narrowest) and it can accommodate numerous vehicles in its current layout. Furthermore the GBC Highways Officer has advised that manhole covers and chambers can be lowered, to permit works around them. Therefore scope exists to amend the existing frontage parking arrangements rather than provide rear parking.

It is noted that there would be no gates on the proposed driveway. However the above discussion highlights that it would have insufficient depth.

Reference above highlights that the proposal would not provide safe parking for the application property but it is acknowledged that it could reduce on street parking in The Yews and would not result in a loss of on street car parking opportunities in The Turnstones.

The applicant's references to existing driveways which do not appear to meet design standards or have non-permeable surfacing, are noted but this application must be determined on its own merits with reference to development plan policy and other material considerations (including relevant highway standards). Therefore existing sub-standard accesses would not provide an adequate justification for the proposed development.

Overall, it is considered that there are ample opportunities for existing and improved car parking on the site frontage, which significantly undermines the applicant's justification for the provision of a second access/parking area at the rear of the application site.

Local residents have suggested that space is available to extend the existing garage at the application site and that there is plenty of available vehicle parking space on the site frontage. This further highlights that other options would be available to provide additional car parking at the application site and further undermines the need for rear parking and access at the application site.

The applicant has also set out that;

- If concrete is unacceptable for the driveway surface, then a water permeable grid system or adequate surface water drainage would be installed.
- A double crossover would be preferred but a single would be considered as an alternative if required.

A concrete driveway would cause surface water to discharge onto the highway, therefore the driveway should be constructed from porous materials and/or incorporate appropriate surface water drainage. As such, a condition could be attached to any planning permission granted to require details of the proposed surfacing materials to be submitted and approved prior to the driveway being first brought into use. The size of the proposed crossover could also be the subject of a planning condition.

Local residents have raised a number of other highway related concerns, these are summarised and commented on below;

- Adverse impacts of additional vehicle movements in The Turnstones - *the increase in vehicle movements associated with the proposed development would be minimal and the GBC Highways Officer has not raised any concern in this regard.*
- Increased potential for collisions in The Turnstones – *the GBC Highways Officer has not raised any concern in this regard.*
- Due to the close proximity of St Johns School, there would be risks to school children using The Turnstones pathway – *this issue has been discussed above.*
- Inconsiderate parking (by residents and persons accessing St Johns school) in The Turnstones already

restricts access for emergency vehicles and endangers pedestrians - *the proposed development would not affect whether or not there is inconsiderate parking in The Turnstones.*

- The proposal would be located on a bend and narrow road and be detrimental to highway safety - *the GBC Highways Officer has not raised any concern in this regard.*

The issues raised by Kent Highways in their initial consultation response could be brought to the attention of the applicant via an informative attached to any planning permission granted.

Overall it is considered that a second vehicle access and parking area at the application site has not been adequately justified and that the proposed development would provide inadequate pedestrian visibility and result in vehicles overhanging the footway. As such, the proposed development would be detrimental to highway safety and contrary to Policy CS11 of the Gravesham Local Plan Core Strategy 2014, to Saved Policy T5 of the Gravesham Local Plan First Review (1994) and to the KCC Residential Dropped Kerb Guidance and Self-Assessment September 2022.

Ecology and Biodiversity

The proposed development would result in the removal of an extensive area of existing hedge and an area of land which is currently vegetated and as such, would have the potential to adversely affect existing ecological interests and biodiversity. Indeed, local residents have raised concerns regarding the loss of trees and vegetation in The Turnstones.

No ecological information has been provided, therefore there are no details of how the adverse ecological impacts could be mitigated or any recommendations as to how to enhance the site for biodiversity. If there were no overriding objections to the proposal, such information would have been requested from the applicant.

Overall, the proposed development fails to show that there would be no adverse ecological and biodiversity impacts and as such, the proposal would be contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Any Other Material Planning Considerations

The application site is located within the buffer zone of the Pine Avenue and Holyoake Mount Historic Landfill Sites, where ground gasses may be a concern. The GBC Environmental Protection Team have set out the wording for two conditions to mitigate any adverse impacts. Therefore provided that these conditions are attached to any planning permission granted, then there would be no adverse ground contamination impacts associated with the proposal.

The application site is also located within Groundwater Source Protection Zone 2, in an area of multi-period archaeological potential, a smoke control area and is in close proximity to a gas pipeline (which is located along the eastern boundary). However, as the works would be relatively minor and would be located within the confines of an existing rear residential garden, it is considered that there would be no adverse impacts to groundwater or archaeology. Advice regarding smokeless fuels/appliances and undertaking building works in close proximity to gas infrastructure could be given to the applicant in informatives attached to any planning permission granted.

Local residents have raised a number of concerns, most of which have been covered in the above discussion. However the following summarises and considers those which remain outstanding;

- The proposal would set a precedent for a row of garages in The Turnstones – *it is acknowledged that should permission be granted, then it would be difficult to refuse similar proposals. Although as only no. 3 The Yews has a garden that fronts onto The Turnstones, then a row of garages would be unlikely.*
- This should not have been allowed to become a planning application – *the Borough Council is required to determine all valid planning submissions.*
- The land adjacent to the application site is owned by Kent Highways – *this is acknowledged and Kent Highways have been notified of the application.*

- The residents of The Yews do not maintain the vegetation behind their properties, KCC does – *this is acknowledged and is not a planning matter.*
- Queries the extent of the publicity to neighbours – *the neighbour consultation meets statutory requirements.*
- The site notice was removed after one day – *a replacement notice was posted.*
- The application form incorrectly suggests that there would be no impacts to hedges – *this is noted but has not undermined the assessment if the proposed development.*
- Adverse impacts of building works – *this is not a planning matter.*

In response to the issues raised by local residents, the applicant has also made a number of comments. Many of these have already been covered in the above discussion but those which are not, are summarised and commented upon as follows;

- Additional side garage would be at an irregular angle due to boundary and neighbouring property proximity – *this is noted.*
- The main bulk of vegetation to be removed is within the boundary of the site and this could be removed by the owner at any time should it die or become dangerous – *the existing hedge screens the rear garden of the application site from public view and therefore it is unlikely to be removed. In any event, the hedge is existing and its current positive impact on the street scene must be taken into consideration.*
- The vegetation to be removed on the KCC ground is minimal and is made up of overgrown weed and bramble. The visual impact would be improved by the removal of weeds, brambles and rubbish - *Despite the unkept nature of the KCC land, it does provide a green space which is an important feature in the street scene, the removal of which would be detrimental to its character.*

Conclusion & Recommendation

The proposed development would have no adverse impacts on residential amenity, could reduce on street parking demand in The Yews and would not result in a loss of on street car parking opportunities in The Turnstones. These benefits are attributed modest weight.

However the proposal would be out of character with the existing building at the application site; would be detrimental to the visual amenities of the surrounding street scene, particularly onto The Turnstones, would be detrimental to biodiversity and would make insufficient provision for safe access to, and egress from, the proposed garage, which would be detrimental to highway safety.

Overall it is considered that the adverse impacts of the proposed development attract significant weight and would significantly and demonstrably outweigh the benefits of the proposal. Therefore, following a thorough assessment of the application and all material planning considerations relating to the proposal, it is considered that the proposed development cannot be supported and that planning permission should be refused on the following grounds;

1. The proposed development, by reason of its design and appearance and due to the removal of a significant area of existing mature vegetation, would be out of character with the existing building at the application site and would be detrimental to the visual amenities of the surrounding street scene. As such, the proposal would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy 2014, to the Householder Extensions/Alterations Design Guide (2021) and to paragraph 130 of the National Planning Policy Framework (2021).
2. The proposed development would make insufficient provision for safe access to, and egress from, the proposed garage leading to vehicles overhanging the public highway, drivers having poor visibility and presenting dangers to passing pedestrians (including school children). As such, the proposal would be detrimental to highway safety and contrary to Policy CS11 of the Gravesham Local Plan Core Strategy 2014, to Saved Policy T5 of the Gravesham Local Plan First Review (1994) and to the KCC Residential Dropped Kerb Guidance and Self-Assessment September 2022.

3. A second vehicle access and parking area at the application site has not been adequately justified in highway safety or sustainability terms and as such, the proposed development would be contrary to Policy CS11 of the Gravesham Local Plan Core Strategy 2014 and to Saved Policy T5 of the Gravesham Local Plan First Review (1994).
4. Given the proposed removal of an existing hedge and vegetated land, the proposal has the potential to adversely impact on any species and habitats that they support. In the absence of any ecological assessment, it is not possible to determine whether the proposal would protect the biodiversity value of these areas. As such, the proposal is contrary to Policy CS12 of the Gravesham Local Plan Core Strategy 2014 and to paragraph 174 of the National Planning Policy Framework (2021).

(For informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	15th December 2022	Dated:	15 December 2022