



Delegated Report

Householder Planning Application

Planning Application No: 20211393

Location: 41 High Street Northfleet Gravesend Kent

Description: Creation of a vehicle crossover.

Applicant: Mr Augustin DaCosta

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

- Application Form;
- Existing and Proposed Block Plan, plan no. 100 rev B.

Relevant Planning History

Application Ref. No.	Description	Decision
19810121	Erection of an extension at first floor level at the rear to form toilet accommodation	Approved

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

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

- P3 – Vehicle Parking Standards
- T1 – Impact of Development in the Highway Network
- T5 - New Accesses onto Highway Network

Paragraph 33 of the NPPF (2021) sets out those policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

Saved Policy T1 requires all development to be served by the highway network.

In relation to vehicular accesses the relevant policy is Policy T5 of the Local Plan.

The preamble to the policy says:

In urban areas, turning movements account for a significant proportion of accidents. On major routes in rural areas, speed becomes an additional factor. New accesses can create further potential hazards, both by increasing the number of turning movements on urban roads and by creating additional potential obstructions on the rural road network. It is particularly important that the main highway network of primary, district and local distributors should remain free of new accesses.

The policy says:

The formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities.

Saved Policy P3 indicates that development will be expected to make provision for vehicle parking in accordance with the KCC Vehicle Parking Standards.

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 9 - Promoting sustainable transport
- Section 12 – Achieving well-designed places

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- SPG 6 - Vehicular Accesses to Classified Highways (1992).

In addition to the Local Plan policies, the Council has adopted supplementary guidance **“Planning Policy for vehicular accesses to classified highways”** (Planning Guidance Note No 6). High Street, Northfleet is a classified highway and the document provides useful design criteria for vehicular crossovers, as outlined below;

The Council's policy and guidance for controlling the formation of vehicular accesses to classified highways is long established dating from the mid 1970's and reaffirmed in November 1980. It was established as a planning policy through the original Gravesham Local Plan in 1987. The policy guidance was revised in September 1991 following which an explanatory leaflet was produced. In November 1992 the policy guidance was reappraised. The policy guidance was modified only in its interpretation concerning accesses to local distributor routes subject to a 30mph speed limit. This had the effect of deleting on such roads the requirement for the provision of a vehicle turning area within the site to enable vehicles to enter and leave in a forward direction.

Other Supplementary Planning Guidance

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

Consultations, Publicity and Representations

KCC Highways

No objection

GBC Highway Officer

Recommended refusal;

KCC Heritage

No objection.

Neighbouring properties

The application was advertised by way of letter to 15 surrounding properties and by site notice. The consultation period expired on 23/12/2021 and no comments were received.

Officer's Analysis

Proposal

The key considerations in the determination of this planning application are whether the proposed new vehicular access and the associated front garden parking/hardstanding facilities and alterations to the front garden boundary are appropriate and acceptable in both in highway safety terms and amenity terms and in relation to adopted policy and guidance, notably Local Plan Core Strategy Policies CS11 and CS19, saved Policy T5, Sections 9 and 12 of the NPPF and Gravesham Planning Policy for vehicular accesses to classified highways (SPG 6, February 2009).

In addition the assessment should take into account the impact on the local area, any similar planning decisions locally and whether there is or would be any precedent for such development but whilst recognising that all planning applications are considered on their individuals merits.

Parking and Highways

Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development should mitigate their impact on the highway. Saved Policy T5 of the Gravesham Local Plan First Review November 1994 indicates that the formation of new accesses to classified roads will not normally be permitted except where no danger would arise.

The Vehicle Accesses on Classified Highways Planning Guidance Note 6 (February 2009) also specifies a number of standards and additional considerations for Schedule 1 roads, including

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

It is recognised that many older properties situated along classified roads have no on-site parking provision and therefore residents are forced to park their vehicle on the road, sometimes a considerable distance from the actual dwelling. It is considered that it is good practice to provide off-street parking areas for existing properties along classified roads provided that safe access arrangements can be achieved in accordance with the Council's policy and guidance and provided that there are no other material planning considerations that outweigh such a development from taking place.

The Borough Councils planning guidance for vehicle accesses (February 2009), sets out that all applications for off street parking on the principal classified roads in the Borough such as High Street, Northfleet will be expected to provide space to allow for a vehicle to be turned within the site, which typically would require an absolute minimum frontage area of 8 metres depth and 7.5 metres width such that there is sufficient space for a car to be able to be driven in and out in a forward direction. This should not be in the form of a multi-point turn.

In this case the front garden area is neither deep enough nor wide enough to provide the required turning area to enable vehicles to enter and leave in a forward direction. The front garden area at best is only 6.7metres deep at the shortest point and has an absolute maximum width of 5.21m.

This policy, which has been adopted and strictly enforced by the Council over the past 30 or more years, aims to ensure that residents who live on major strategic routes are not permitted to create entrances which would require them to reverse their vehicles either on or off the public highway and thereby causing potential danger to other moving traffic as well as to pedestrians.

Cars parked on the front garden would simply be reversing out blind against the flow of traffic.

The KCC Highways was consulted their comments state:

'I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- *Provision and permanent retention of the vehicle parking spaces as shown on the submitted plans prior to the use of the site commencing.*
- *Use of a bound surface for the first 5 metres of the access from the edge of the highway.*
- *Provision of measures to prevent the discharge of surface water onto the highway."*

The GBC Highways Officer was also consulted and recommend refusal, on the basis of no onsite turning space could be provided. Therefore, notwithstanding the lack of objection from KCC, the proposed vehicular access in this location would therefore breach adopted Policy T5 of the Gravesham Local Plan, as it would result in vehicles reversing into or out of the site to the detriment of highway safety and free flow of traffic on this busy classified road. This would also be contrary to Core Strategy Policy CS11, Gravesham Planning Policy for vehicular accesses to classified highways (SPG 6, February 2009) and section 9 of the National Planning Policy Framework (NPPF).

Character and Appearance

The proposal seeks the creation of a vehicle crossover across KCC Highway land, hardstanding is also proposed but has hardstanding been installed to the front of the property. The extent of the hardstanding towards the front of the property has varied over the years and google maps indicates that prior to the existing hardstanding erected at the site was a crazing paving surface and limited soft landscaping.

The driveway has a minimum depth of 6.7m and a maximum depth of 8.9 m and a minimum width of approximately 5.3m. The plans indicate that the current driveway is constructed from permeable materials, and also indicates a drain/soakway installed. The photo submitted by the applicant confirms the installation that the soakway/drain has been installed to the boundary along the public highway.

The application site is a terraced house which is set back approx. 6.7m from the front window to the highway. As noted above, there has been previous hardstanding installed at the site but the site had gates and brick piers fronting the site which have been removed.

The application proposes the formation of hardstanding to the front garden for vehicular parking, although the properties adjacent to the application site have carried out similar works to what is being proposed, but the street scene as a whole is mainly characterised by low level brick wall boundary treatment fronting the public highway. Evidently, from the photo submitted it is apparent timber fencing has been installed

between the shared boundaries between the application site and adjacent neighbours at no. 39 and 43 High Street.

Notwithstanding neighbouring sites which currently have hardstanding in the front garden facilitating vehicle accesses fronting the highway, by virtue of the loss of boundary wall and brick piers the application is considered harmful to the character of the street scene. It is appreciated the site already had hardstanding installed at the site, but it is the complete loss of the boundary treatment that is considered detrimental to the appearance and character of the area along with the complete loss of soft landscaping at the site is also considered visually harmful.

The proposal is considered inappropriately designed despite being constructed using permeable materials and installing a soakway.

Overall, the development is considered to have a detrimental impact on the character or appearance of the street scene and contrary with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2021).

Amenity of Future Occupiers

The proposal is not liable to impact on the amenity of future occupiers so there are no concerns in this regard and the proposal is in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Neighbouring Amenity

The proposal will not cause material harm to the amenity of any adjoining properties in terms of loss of light, outlook, privacy or sense of enclosure. As such it is in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Any Other Material Planning Considerations

Impact on Biodiversity - as aforementioned within this report, the development the existing soft landscaping has recently been removed resulting in a loss of biodiversity. Section 15 of the NPPF states that developments should result in a biodiversity net gain. Areas of soft landscaping at the site have been removed at the site resulting in a further loss of biodiversity at the site.

Conclusion & Recommendation

The proposal is acceptable in highway terms and considered to safeguard the amenity of future occupiers, as well as neighbouring properties. However, the proposal is considered to result in a detrimental impact on the street scene and deemed contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2021).

(For detailed reasons for refusal, see draft Decision)

Case Officer:	Ms Genna Henry	Team Leader:	Richard Hart
Signed:	<i>G.Henry</i>	Signed:	<i>R Hart</i>
Dated:	25th January 2022	Dated:	25th January 2022

Gravesham Borough Council