

DEVELOPMENT CONTROL BOARD

4 July 2019

Reference: 19/00500/FUL **Officer:** Mrs B Lidster

Location: 3 London Road
Stone
Kent
DA2 6DL

Proposal: Provision of a vehicle crossing onto A226

Applicant: Mrs P Wilkinson
3 London Road
Stone
Kent
DA2 6DL

Parish / Ward: Stone Parish Council OLD 2019 / Newtown OLD

RECOMMENDATION:

Approval

SITE DESCRIPTION

(1) No. 3 London Road is a mid-terrace house located on the southern side of the road. The front garden of the property has been hard surfaced and is used for parking albeit without the benefit of a drop kerb/formal vehicular access. There are currently double gates in the front of the parking space and a single gate to the pedestrian path to the front door.

(2) There are a number of houses with frontage parking and vehicular accesses along this side of London Road.

THE PROPOSAL

(3) The proposal is for permission to allow vehicular access from the property onto London Road which is a classified road (A226). Planning permission is required for vehicular accesses onto classified roads, this is the principle of the vehicular access not the dropped kerb, itself, which is a physical alteration to the highway requiring a separate approval from Kent Highways.

(4) The front garden is hard surfaced and vehicular access to and from London Road is already taking place and therefore the application is retrospective. Although the physical dropped kerb is not yet in place and requires approval from Kent Highways. From historic aerial photos, it would appear that a car has parked at the front of the property since at least 2007.

(5) The proposal has been amended in response to the comments on the application made by Kent Highways. The area of vehicular crossing has been reduced from a width of 5.4 metres to a width of 2.3 metres so that it is a distance of 1.5 metres away from the lamp column.

RELEVANT HISTORY

(6) DA/99/00256/FUL - Formation of an access onto A226. - Refused on the grounds of there being no on site turning arrangements which would introduce turning movements on the public highway detrimental to highway safety.

COMMENTS FROM ORGANISATIONS

(7) Kent Highways objected to the original submission which sought a vehicular access width of 5.4 metres as they considered the vehicular access too close to the lamp column in their view. The applicants have as a result amended the proposal reducing the width of the crossing and moved it away from the lamp column, Kent Highways consider that it is now acceptable and the lamp column would not need to be moved/relocated.

NEIGHBOUR NOTIFICATION

(8) In response to neighbour consultation three letters of objection have been received. They comment:

- Already inadequate parking along this side of London Road;
- Loss of road safety by moving the lamp column; [which would no longer be the case]
- Vehicles park on the pavement and cross the pavement to access the drive compromising pedestrian safety.

RELEVANT POLICIES

(9) The Dartford Core Strategy 2011, the Dartford Development Policies Plan 2017 and the Kent Minerals and Waste Local Plan 2016 form the Dartford's Development Plan and the application should be determined against this unless material considerations indicate otherwise.

(10) Adopted Dartford Core Strategy adopted 2011
CS1: Spatial pattern of development.

(11) Adopted Dartford Development Policies Plan 2017
DP1: Presumption in favour of sustainable development
DP2: Good Design
DP3: Transport impacts of development
DP4: Transport access and design

(12) Dartford Parking Standards Supplementary Planning Document 2012

(13) The Kent County Council - Vehicular Crossing - Guidance and Self-Assessment document (2013) is also a material planning consideration.

COMMENTS

Key Issues

(14) The applicants have already hard surfaced the front of the property to provide vehicular parking for one car. In my opinion the key issue in this case is whether there is any impact on highway safety as a result of the development.

(15) Initially Kent Highways raised concern with the development due to the proximity of the access to a street light/lamp column. As a result of these concerns the applicant agreed to move the area of the vehicular access away from the street light to avoid any conflict. However, in order to ensure that only this narrow reduced area is used by vehicles I consider that the existing vehicular gates forming the boundary fence of the property will need to be reduced in width to bring them away from the lamppost and therefore remove the need for vehicles to travel over this area. I have suggested a condition requiring such details [Condition 2]. In addition, if Kent Highways approve a dropped kerb this is likely to be of the reduced width of 2.3m which will further ensure vehicles are moved away from the lamppost.

(16) Kent Highways have not raised any concerns with the access on the grounds of highway safety and are satisfied that it is now in an acceptable location. I note that in commenting on the planning application, Kent Highways consulted their Highway Engineers

who are responsible for determining applications to them for dropped kerbs/vehicular crossings. The KCC Highway Engineers noted that the access was 100mm narrower than would be the ideal width but that they would be likely to accept the shortfall in this case.

(17) Neighbours have raised concerns regarding the loss of on-street parking in the area as a result of the development which would introduce a dropped kerb that should not be parked across. There are still a number of opportunities to park on-street along this part of London Road and whilst I appreciate neighbours' concerns, the proposal would only result in the loss of one on street space. I do not therefore consider that this is sufficient justification to refuse the application.

(18) I also note neighbours' concerns with crossing the footpath to access the parking space. In this case the footway outside 3 London Road is deeper than it is on the north side of London Road and some cars park on the pavement. The provision of a formal vehicular access would actually result in a reduction in this pavement parking as cars would not be permitted to block the access and this is positive outcome of the proposal in my view. Most vehicular accesses have to pass over a footway and this is not justification to refuse this application in my view.

(19) The proposal would comply with the KCC Vehicular Crossing Guidance document in terms of pedestrian visibility. The vehicular gates to the front of the property appear to open into the site as opposed to onto the highway. There is sufficient depth on the driveway to accommodate a car length and the opening gates. I therefore consider this acceptable. However, I have suggested a condition to amend the width of these gates to address the vehicular access area and this condition can also be required to ensure the gates do open inwards. [Condition 2].

Other issues

(20) I note that there was refusal of a planning application for a vehicular crossing some years ago under 99/00256/FUL. It is apparent that since then, a number of properties along this stretch of London Road have established frontage parking, either through the passage of time rendering it immune from enforcement action or by formally applying. As already noted, the historical aerial photos of the application site appear to show that parking has been provided to the front of this property for a number of years and if the applicants were to apply for a Certificate of Lawful Development for the access it is likely that this would be granted due to the Council's own evidence. This is a material planning consideration in this case.

HUMAN RIGHTS IMPLICATIONS

(21) I have considered the application in the light of the Human Rights Act 1998. I am satisfied that my analysis of the issues in this case and my consequent recommendation are compatible with the Act.

PUBLIC SECTOR EQUALITY DUTY

(22) Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

CONCLUSIONS AND REASONS FOR RECOMMENDATION

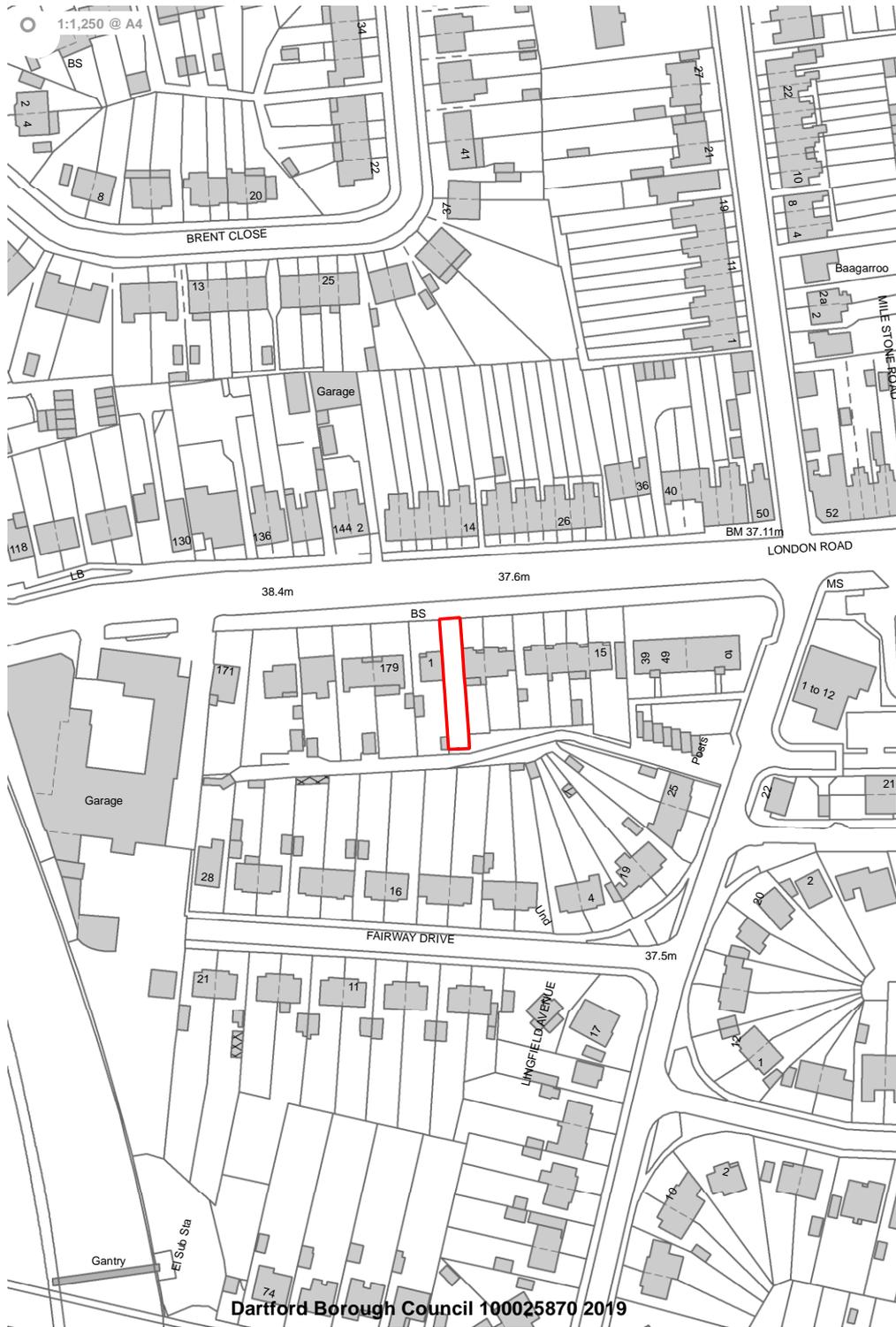
(23) The proposal would not have any highway safety implications and the revised width of the vehicular access proposed will no longer impact on the street lighting, I have suggested a condition to ensure that vehicles do not run over this area. There would also be no impact on visual amenity. In conclusion, I consider that the proposal would be an improvement on the current situation.

RECOMMENDATION:

Planning permission is granted subject to the reasons set out in the report and the following conditions:

Conditions:

- 01 The development shall be carried out in accordance with the following plans and documents: Site location plan; Block plan; proposed layout plan dated 25 May 2019
- 01 For the avoidance of doubt and to ensure a satisfactory form of development.
- 02 The vehicular access onto the A226 London Road hereby approved shall not be used until the vehicular access gates and boundary fencing has been implemented in accordance with details to have been submitted to and approved by the local planning authority.
- 02 In order to ensure that the vehicular access does not cause damage to the lamp column; to ensure adequate visibility of pedestrians; and to prevent overhanging of the public highway by private gates in accordance with Policy DP4 of the Local Plan policy



Application No.:	19/00500/FUL
Address :	3 London Road Stone Kent DA2 6DL
Date: 19 June 2019	Scale: Not to Scale