

PLANNING COMMITTEE – 10 DECEMBER 2020**PART 3**

Report of the Head of Planning

PART 3Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO – 20/504000/FULL		
APPLICATION PROPOSAL Creation of a driveway with a dropped kerb		
ADDRESS 178 Minster Road Minster-on-sea Sheerness Kent ME12 3LL		
RECOMMENDATION - Refuse		
SUMMARY OF REASONS FOR REFUSAL The development will cause unacceptable harm to visual amenities and highway safety and convenience.		
REASON FOR REFERRAL TO COMMITTEE Minster Parish Council supports the scheme.		
WARD Sheppey Central	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT Mrs Emma Tenwick AGENT
DECISION DUE DATE 14/12/20	PUBLICITY EXPIRY DATE 12/11/20	

Planning History

SW/11/0855

Demolition of existing conservatory and proposed single storey rear extension.

Approved Decision Date: 25.08.2011

1. DESCRIPTION OF SITE

- 1.1 178 Minster Road is a two storey mid-terraced dwelling located within the Local Plan defined built up area boundary of Minster. There is a grassed front garden to the front of the property, and private amenity space to the rear. The property sits three doors down from the junction of Minster Road and Scrapsgate Road, and there is an unmade road to the rear of the garden, which provides vehicular access to the properties in the terrace. A garage is located within the rear garden, providing one parking space for the property.
- 1.2 The surrounding street by a mixture of terraced, detached and semi-detached dwellings of various scales and designs, although I note the property forms part of a terrace of similar properties which stretches along the northern side of Minster Road. None of these terraced properties have driveways to the front of the properties, although the majority of dwellings on the southern side of Minster Road do have driveways to the front.

2. PROPOSAL

- 2.1 This application seeks planning permission for the creation of a driveway at the front of the property, including the insertion of a dropped kerb. Minster Road is a classified road and therefore planning permission is required for the dropped kerb. The soft landscaping and small fence at the front of the property will be removed, and replaced with hardstanding providing parking for one vehicle.

3. PLANNING CONSTRAINTS

- 3.1 Environment Agency Flood Zone 3

4. POLICY AND CONSIDERATIONS

- 4.1 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)
- 4.2 Development Plan: Policies CP4, DM7, DM14 and DM16 of Bearing Fruits 2031: The Swale Borough Local Plan 2017
- 4.3 Supplementary Planning Guidance (SPG): Designing an Extension: A Guide for Householders'

5. LOCAL REPRESENTATIONS

- 5.1 One comment has been received from a neighbouring property. Its contents is summarised below:
- Although we do not object to a driveway being added to the front of the property we do have a major concern that the driveway will be placed on the side of their property that is on the side closest to our boundary. If this were to happen then our light into our living room will be completely blocked along with our view especially as at least some of the time it will probably be a large van parked there.
 - Another concern we have is if our fence will be touched or removed.

6. CONSULTATIONS

- 6.1 Minster Parish Council initially made comments in support of the proposal, but did not provide any reasons for support. They were contacted and asked their reason for supporting the scheme. They stated the following:

“Minster-on-Sea Parish Council’s position in supporting the application remains unchanged. Although it welcomed the information provided by the Case Officer, Members felt that on balance the safety aspects of having off-street parking outweighed those for having a car permanently parked on a busy main road being Minster Road which is a main thoroughfare. Other relevant information was that the majority of properties on Minster Road have off-street parking which is used to drive in and reverse out of those sites.”

- 6.2 Kent Highways – *“Minster Road is a classified ‘B’ road and as such, the applicant must be able to provide the necessary space to ensure a car can enter and exit the proposed driveway in a forward gear. I refer to the above planning application and with consideration to the*

measured depth of the front garden falling significantly below the minimum required to accommodate the proposed driveway and there being no opportunity to turn on-site; I recommend that this application be refused on highway grounds for the following reason(s):-

The proposals do not provide adequate facilities to enable vehicles to enter and exit the site in a forward gear, to the detriment of highway safety.”

7. BACKGROUND PAPERS AND PLANS

- 7.1 Plans and documents relating to application 20/504000/FULL.

8. APPRAISAL

Principle of Development

- 8.1 The site is situated within the defined built up area boundary in which the principle of development is acceptable subject to other relevant policy considerations.

Visual Amenity

- 8.2 The development will alter the appearance of the front of the dwelling significantly in my opinion. All the soft landscaping will be removed from the front of the site, and replaced with hardstanding. The proposal will also lead to frontage parking, and the Council advises against development which forces all parking to the front of the property. None of the surrounding properties in this terrace have parking to the front, and therefore I do not consider that frontage parking is a common feature along this particular stretch of Minster Road. I note that some properties opposite the site have frontage parking, however these are larger detached and semi-detached dwellings and therefore I believe constitute a different character from the terraces in any case. The introduction of frontage parking here will be excessively prominent in the streetscene, and in my view would cause harm to visual amenities.

- 8.3 As such, I consider that the loss of all soft landscaping and introduction of frontage parking to the site would cause significant harm the character and appearance of the street scene.

Residential Amenity

- 8.4 The introduction of hardstanding and a dropped kerb will not cause significant harm to residential amenity in my opinion due to the limited amount of built development proposed under this application. I note the neighbours concern regarding the loss of light to their living room window, however the use of the driveway will not cause unacceptable overshadowing to any neighbouring property in my view.
- 8.5 Their concerns regarding their boundary fence would amount to private legal matters and therefore would not constitute a planning matter.

Highways

- 8.6 The application site is located on a classified 'B' road close to the busy junction of Minster Road and Scrapsgate Road, and in this location my view is that any new driveway must be large enough to ensure a vehicle can enter and exit the property in a forward gear. The block plan shows the driveway would have a depth of 8m and a width of 5.8m. Kent Highways & Transportation were consulted on the application, and have reviewed the proposed plans.

Due to the limited scale of the driveway, they do not consider it would be possible to turn a vehicle round on the driveway to ensure it could enter and exit in forward gear. This would lead to additional turning points in the highway in a manner harmful to highway safety and convenience. This amounts to a reason for refusal.

- 8.7 I note the Parish Council's comments, but I do not agree that the provision of off-road parking here outweighs the harm caused by cars potentially reversing on or of the property along this stretch of Minster Road. The presence of existing driveways at other properties on Minster Road does not set a precedent for permitting this development, which as set out above, would cause harm to highway safety and convenience.

9. CONCLUSION

- 9.1 The proposed removal of all soft landscaping to the front of the property and use of the front garden as a driveway will cause unacceptable harm to the character and appearance of the area. Furthermore, the limited scale of the driveway will result in vehicles not being able to enter and exit in forward gear, which will cause significant harm to highway safety and convenience. On the basis of the above, I recommend planning permission is refused.

10. RECOMMENDATION - Refuse for the following reasons:

- (1) The proposal would not provide adequate vehicle turning facilities on site to enable vehicles to enter and exit the site in a forward gear. This would likely lead to additional turning movements in the highway in a manner detrimental to highway safety and convenience. The proposal would therefore be contrary to policies DM7 and DM14 of "Bearing Fruits 2031: The Swale Borough Local Plan 2017".
- (2) The loss of all soft landscaping to the front of the property and creation of a driveway will lead to frontage parking, a feature which is not present along this stretch of terraced properties. The presence of a parked car here will be unduly prominent in the streetscene and will cause significant harm to the character and appearance of the surrounding area. The proposal is therefore contrary to policies CP4 and DM14 of "Bearing Fruits 2031: The Swale Borough Local Plan 2017".

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

