



Delegated Report

Application No: 20250104

Location: 21 Clarence Place Gravesend Kent DA12 1LD

Description: Demolition of existing garage and excavation of rear garden for the erection of a two-storey outbuilding for garage and home office/workshop use, including the installation of 3x roof windows, a flat green roof, and alterations to the rear wall, garage door and pedestrian access. Retention of fence above rear boundary wall.

Applicant: Mr Joseph Regan

Submitted Documents/Plans

The application comprises the following documents and plans:

- Application Form.
- Planning Statement (February 2025)
- Drawing no. Y2286-2024-A01 Rev 01 - Site Location Plan and Block Plan - Existing and Proposed.
- Drawing no. Y2286-2024-A10 Rev 00 – Existing Floor Plans.
- Drawing no. Y2286-2024-A11 Rev 00 - Existing Elevations and Section.
- Drawing no. Y2286-2024-A20 Rev 01 - Proposed Floor Plans.
- Drawing no. Y2286-2024-A21 Rev 01 - Proposed Elevations and Section.
- Site photos.

Superseded drawings

- ~~Drawing no. Y2286-2024-A01 Rev 00 – Site Location Plan and Block Plan.~~
- ~~Drawing no. Y2286-2024-A20 Rev 00 – Proposed Floor Plans.~~
- ~~Drawing no. Y2286-2024-A21 Rev 00 – Proposed Elevations and Section.~~

Relevant Planning History

Reference	Description	Decision	Decision Date
19970106	Erection of wall mounted railings and gates varying from 1.03m-1.14m in height between the existing and proposed brick piers on the front boundary of each property. appearance of the	Permitted	09.07.1997

	refuse and recycling storage area at 21-28 Clarence Place Gravesend Kent DA12 1LD		
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Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.

Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

In this instance the development plan for Gravesham currently comprises: -

- The Gravesham Local Plan Core Strategy (September 2014);
- Remaining Saved Policies of the Local Plan First Review (1994); and
- The Kent Minerals and Waste Local Plan 2013 - 2030 (2016, revised 2020).

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Design and Development Principle
- CS20 – Heritage and the Historic Environment

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

- P3 – Vehicle Parking Standards.
- T1 – Impact of Development on Highway Network
- TC3 – Development Affecting Conservation Areas.

Paragraph 34 of the NPPF (2024) 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 First Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development.

- Section 9 – Promoting sustainable transport.
- Section 12 – Achieving well-designed places.
- Section 15 – Conserving and enhancing the natural environment.
- Section 16 – Conserving and enhancing the historic environment.

Supplementary Planning Guidance

- Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020.
- Design for Gravesham – Design Code SPD (2024).
- SPG4 – KCC Parking Standards (2006).
- Householder Extensions/Alterations Design Guide (2021).
- Windmill Hill Conservation Area Character Appraisal (2007).
- Conservation Areas – A Guide for Owners and Occupiers (2020).

Consultations, Publicity and Representations

KCC Highways and 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.

It is important to note that Local Planning Authority (LPA) 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 LPA planning permission has been granted

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, 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 and near the highway 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 pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

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. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, 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.

Further 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.

Neighbouring properties

Four surrounding properties were consulted and the application has been advertised by a press notice and site notice. The overall consultation period expired on 21 March 2025. One response has been received providing support for the proposal on the following grounds:

- The addition of a living roof will enhance views but will also bring natural beauty to the area.
- These improvements will help to transform William Street into a cleaner, more secure place.
- It represents a much-needed step towards regenerating this part of Gravesend, making it a safer and more welcoming place for everyone.

Councillor Baljinder Rana has also submitted a representation supporting the application.

Analysis

The application site is defined on the Core Strategy Policies Map as lying within the urban area. It lies on the northern side of Clarence Place and comprises a two-storey, semi-detached property, including a basement and accommodation in the roof. The site has a good size rear garden with a garage, which fronts onto William Street.

The site is located in the Windmill Hill Conservation Area. The property is not a Listed Building but is regarded in the Windmill Hill Conservation Area Character Appraisal as being a 'key unlisted building'.

This proposal involves demolishing the existing garage and replacing it with a two-storey outbuilding. This would occupy the full width of the plot at ground level. The ground floor of the

outbuilding would be used as a garage.

The first-floor element of the building was originally shown to be set back from the road frontage by 1.0m and to also extend the full width of the plot. Following concerns relating to the visual impact this would have within this locality (see “Design, character and appearance” below) this was subsequently amended so that the first-floor element is now shown to be inset by 1.0m from both side boundaries of the site. The first floor of the building would be used as a home office/workshop. It would have a green roof containing three rooflights.

Paragraph 4.4 of the Design and Access Statement accompanying the application provides the following information concerning materials:

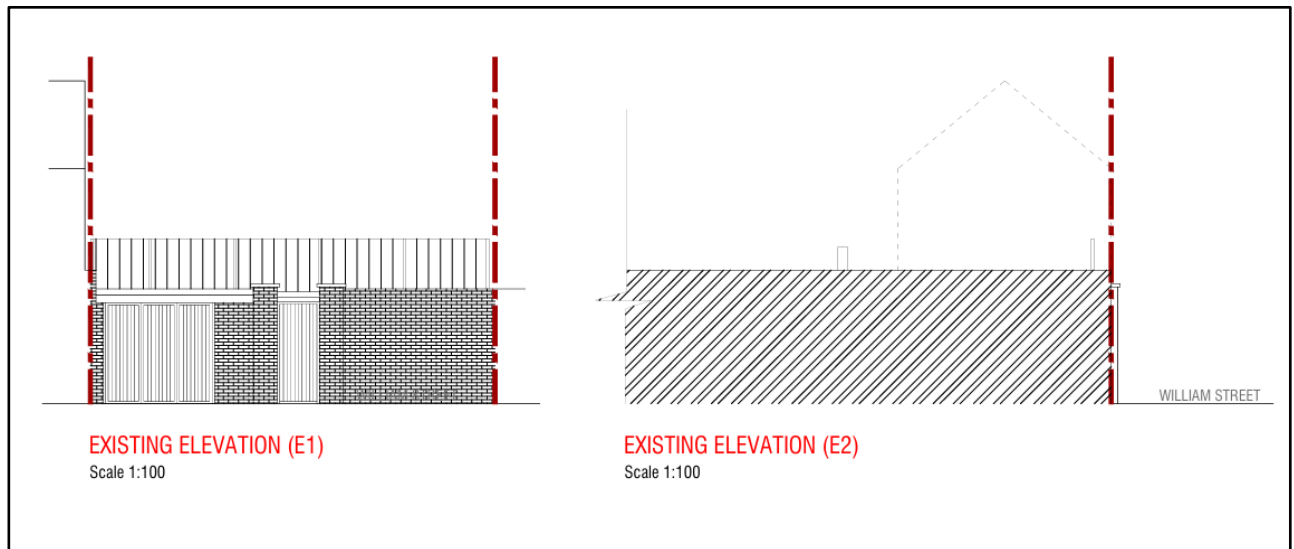
Finish material will be composite wood cladding to the outbuilding whilst work to the exterior brick wall will repurpose the existing bricks and coping stones, to match existing. The wall will also meet the adjoining wall in an appropriate manner, where mortar and brick are blended to match. The proposed street facing doors will also feature roller shutters with thin slats.

This proposal also includes the retention of the fence above the rear boundary wall.

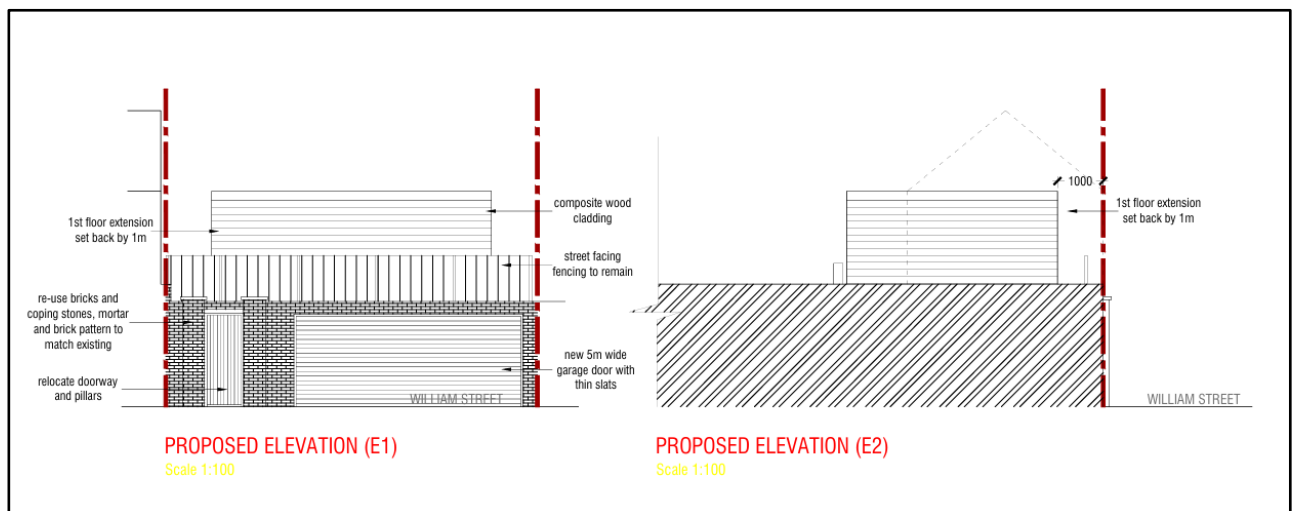
The existing view of the site from William Street is shown below:

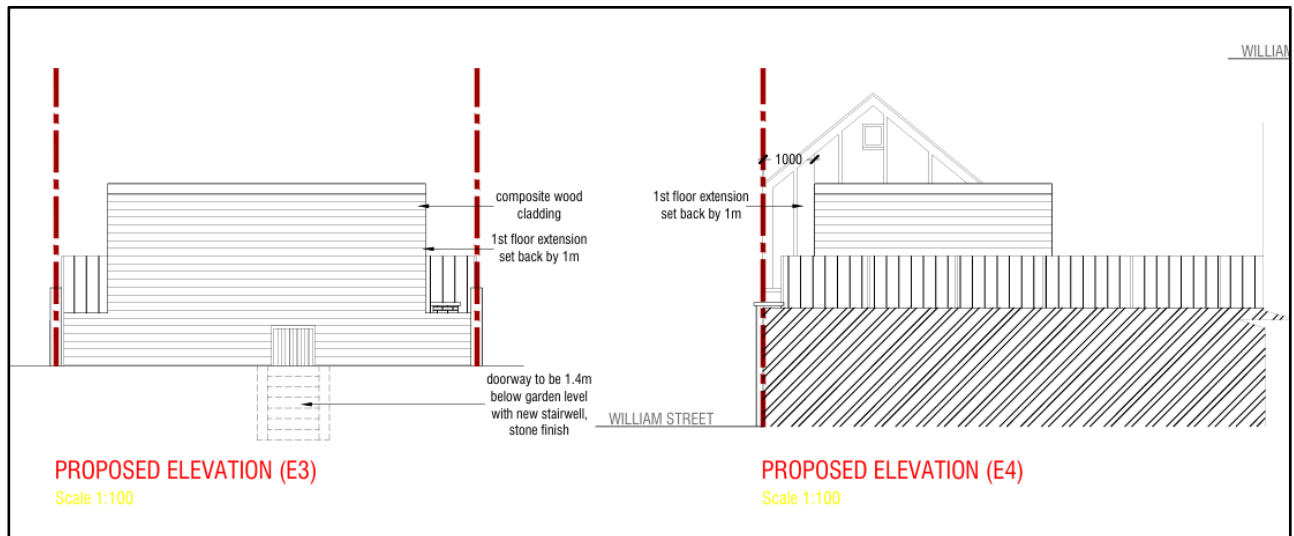


The existing and proposed elevations are shown below:



Existing Elevations





Proposed Elevations

Principle of development

This application is located in the urban area as defined on the Policies Map of the Core Strategy. Policy CS02 of the Core Strategy prioritises development in the urban area as a sustainable location for development. As such, there is no objection to the broad principle of the proposed development subject to it meeting the detailed requirements of government and development plan policy, which will be assessed in later sections of this report.

Design, character and appearance

Section 12 of the NPPF relates to “achieving well-designed places” and sets out the Government’s requirements in relation to design issues. Paragraph 131 is particularly relevant:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The aims set out in paragraph 131 of the NPPF are reflected in Policy CS19 of the Council’s Core Strategy. This requires new development to be “visually attractive, fit for purpose and locally distinctive” and to “conserve and enhance the character of the local built, historic and natural environment”. It also requires new development to “integrate well with the surrounding local area”. In addition, Policy CS19 requires the following:

....the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings.

Design for Gravesham (2024) expands on the Core Strategy, and Policy CS19 in particular, to provide additional clarity on what is expected of applicants when submitting design proposals, setting out the minimum requirements to achieve design quality.

As the property is located within a conservation area, Section 16 of the NPPF is also relevant. This

sets out requirements relating to conserving and enhancing the historic environment. Paragraph 210 is of particular relevance and states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

Policy CS20 of the Council's Core Strategy and saved Policy TC3 of the Gravesham Local Plan First Review 1994 are also relevant. Policy CS20 of the Core Strategy places a high priority on the preservation, protection and enhancement of the Council's heritage and historic environment. Policy TC3 of the Gravesham Local Plan First Review 1994 requires that development within or affecting conservation areas will be carefully judged for its impact and will be expected to make a positive contribution to the conservation area.

The Windmill Hill Conservation Area Character Appraisal is also a relevant consideration. This document defines the special architectural and historic interest for which the Windmill Hill Conservation Area merits designation. It identifies the positive features that should be protected and highlights the negative factors that detract from its character and appearance.

Many properties in Clarence Place benefit from outbuildings within their rear gardens which are located adjacent to William Street. The property next to the application site, no. 22 Clarence Place, has an existing two-storey outbuilding which incorporates a garage at ground level. There is no planning history for this building. It can be seen in the following photograph:



This proposal has been subject to pre-application advice where it was confirmed that there would be no objection in principle to the proposed ground floor element of the proposal. The front elevation of the ground floor would be comparable in height to the existing wall and would replicate much of the detailing including the pillars around the door. Given the location of the site within Windmill Hill Conservation Area, it would be important to ensure that the front elevation at ground floor level incorporates the same detailing as the existing wall, including the same (preferably salvaged) bricks, pattern, mortar and coping stones. Where the development would meet existing adjoining structures, this will need to be appropriately blended in and made good where necessary. In terms of the proposed garage doors, these should ideally comprise roller shutters with thin slats that look like horizontal boards, rather than large panels. These details could be secured by planning condition if permission were to be granted.

The first-floor element is perhaps more contentious. In the pre-application advice previously provided, concern was raised it would not be in keeping with the general pattern of rear garden development and would appear too dominant and obtrusive within the conservation area setting from William Street. There was also concern that it would set a precedent for what is essentially two-storey development in the rear gardens of Clarence Place. It was therefore recommended that this element of the proposal be reduced further by treating it separately from the building below and setting it back and away from the rear boundary by a minimum of 1m.

The application as originally submitted showed the first-floor element to be set back from William Street by 1.0m. Although this would reduce its visual impact from the road it would still appear as a dominating feature within the street scene. Indeed, with the exception of the outbuilding at no. 22 Clarence Place, other outbuildings within the rear gardens of properties in Clarence Place are more modest in size and set back within the gardens, away from the rear boundaries. As such they are less visually intrusive.

In the original submission, the first floor had not been treated separately from the building below as suggested in the pre-application advice. In order to address this, it was suggested that the first-floor element be inset from the side boundaries of the site by 1.0m. This would give the appearance of it being a separate building to the garage at ground floor level.

Revised drawings have been received which follow this advice. As a result of the amended scheme, the bulk of the first floor of the building has been reduced thereby ensuring that it does not appear visually dominant in this location. It is also now more in-keeping with the more modestly sized outbuildings within the rear gardens of properties in Clarence Place. The proposed flat green roof is also welcomed and would enhance the appearance of the building as well as biodiversity.

The Windmill Hill Conservation Area is subject to an Article 4 Direction removing certain permitted development rights, including in relation to this site, the erection of a fence over 1m in height adjacent to a highway. As planning permission has never been sought for the rear boundary fence attached to the top of the existing rear boundary wall this has been included as part of the current application. Given the existence of fencing on the top of the rear garden walls along the road, there is no objection to this element of the proposal.

In light of the above assessment, it is considered that the design and appearance of the proposed development is acceptable and would meet the tests set out in the NPPF, Policies CS19 and CS20 of the Core Strategy, saved Policy TC3 of the Gravesham Local Plan First Review 1994, Design for Gravesham (2024) and the Windmill Hill Conservation Area Character Appraisal (2007).

Residential amenity

Paragraph 135 of the NPPF requires planning decisions to, *inter alia*, provide “a high standard of

amenity for existing and future users". In addition, Policy CS19 of the Core Strategy requires new development to be located, designed and constructed to "safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land". The Council's adopted Residential Layout Guidelines provide more detailed guidance with respect to the protection of residential amenity.

As there are no windows proposed within the elevations of the building, the development would not result in window to window overlooking or a loss of privacy to the amenity areas of neighbouring occupiers. Due to the design, orientation, location and scale of the proposed development it is also unlikely that there would be any undue impacts on neighbouring occupiers in terms of loss of sunlight, daylight or outlook.

The building incorporates three rooflights which would ensure that the proposed home office/workshop receives sufficient light. It is noted that there aren't any windows in the elevations of the building. However, given that the requirement for adequate outlook is significantly less for a home office/workshop than a habitable room within a dwelling, it would be unreasonable to object to this proposal on this issue.

Parking and highways

Policy CS11 of the Core Strategy seeks to ensure that new development mitigates its impact on the highway and that sufficient parking is provided in accordance with adopted parking standards, reflecting the availability of public transport provision and the accessibility of local services and facilities.

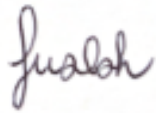
This proposal would not result in a loss of parking and would not generate a requirement for the provision of additional on-site parking. As such there is no objection in terms of highway safety.

Conclusion

In summary it is considered that for the reasons set out in this report, the design and visual impact of the proposed outbuilding would be acceptable. It would also be appropriate in terms of its impact on the Windmill Hill Conservation Area. Furthermore, the proposal would be acceptable in terms of its impact on residential amenity and highway safety. As such it is recommended that permission be granted.

Recommendation:

GRANT PLANNING PERMISSION
See draft Decision

Case Officer: Gary Edwards	Team Leader: Mrs Faye Walsh
Signed: <i>Gary Edwards</i>	Signed: 
Dated: 16 April 2025	Dated: 17 April 2025