

Planning Design & Access Statement

Revised Householder
Application

23b Lyndhurst Way
Instead Rise
Gravesend
Kent
DA13 9EN

By:

Mr & Mrs D Lye



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Robinson Escott Planning LLP,

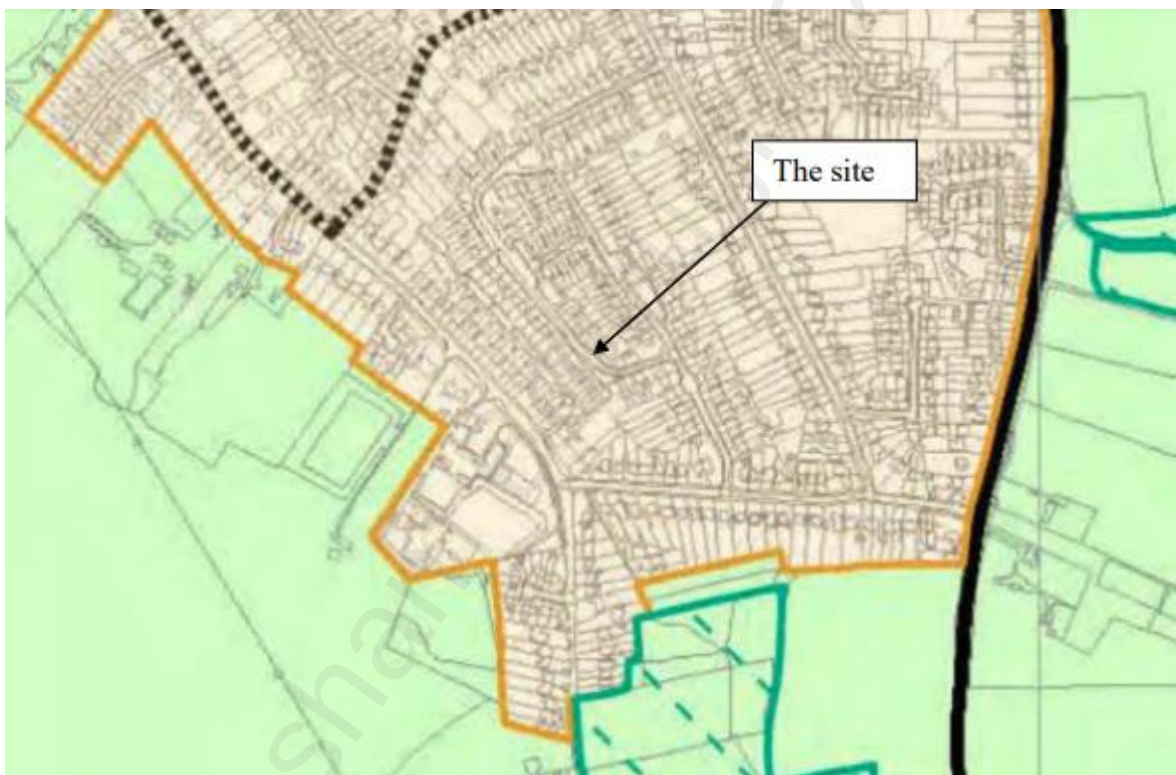
Downe House, 303 High Street, Orpington, Kent BR6 0NN

1. INTRODUCTION

- 1.1. We have been instructed by Mr & Mrs D Lye to prepare and submit a revised householder planning application for the introduction of a subordinate 2 metre, two storey side extension, a single storey rear infill extension, changes to existing windows and the replacement of an integral garage door with a window to serve their home at 23b Lyndhurst Way, Instead Rise, DA13 9EN.
- 1.2. The background to this matter is that a similar application for householder planning permission was refused by Gravesham Borough Council on the 15 November 2021 under Council reference 2021/1171.
- 1.3. The application was principally refused on the grounds that the proposed side extension had not been designed to have a subservient appearance to the main house. Concerns were also raised regarding potential harm to the neighbouring property No. 25 Lyndhurst Way. In addition, concerns were expressed that as the side extension was not subservient it may give rise to antisocial behaviour given its proximity to the adjacent public footpath.
- 1.4. In refusing planning consent, the Council quoted policies of the Local Plan Core Strategy 2014 and the Councils Householder Extensions/Alterations Design Guide (2021).
- 1.5. The Council's decision notice has therefore been reviewed as part of the preparation of this revised application along with relevant planning policy referenced within the Council's decision notice. In addition, the Council's delegated report which accompanied its decision has been considered.

2. THE APPLICATION SITE

- 2.1. The application property comprises a semi-detached dwelling of two storey design located on the south-western side of Lyndhurst Way within the village of Istead Rise. The site is positioned within the limits to built development of Istead Rise as confirmed by the Gravesham Local Plan Proposals Map as detailed below;



- 2.2. This part of Lyndhurst Way is positioned on a hillside meaning that the dwelling has a single storey appearance when viewed from the street scene with land falling away to the southwest. The dwelling is therefore built into the hillside with the rear of the house having a two-storey appearance as illustrated by the street scene photograph provided below. The dwelling adjoins No. 23A to the south-east although the properties have a different character. The existing dwelling at 23B is served by a single integral garage and projecting front porch but no such garage feature serves the adjacent home.



23b Lyndhurst Way on right hand side of image

- 2.3. The site shares its north-western boundary with a public footpath leading down the hill between the site and No. 25 Lyndhurst Way. No. 25 is dug into the hillside and comprises a detached dwelling with a two-storey appearance when viewed from both street scenes with a high-pitched roof above. There are no habitable windows positioned on the south-eastern flank wall of No. 25 although a secondary high-level window is located at ground floor level that appears to serve the front or rear facing habitable room. To clarify, following the Council's previous refusal, this side only comprises a high-level secondary window serving existing ground floor accommodation. It does not comprise a principal habitable window.



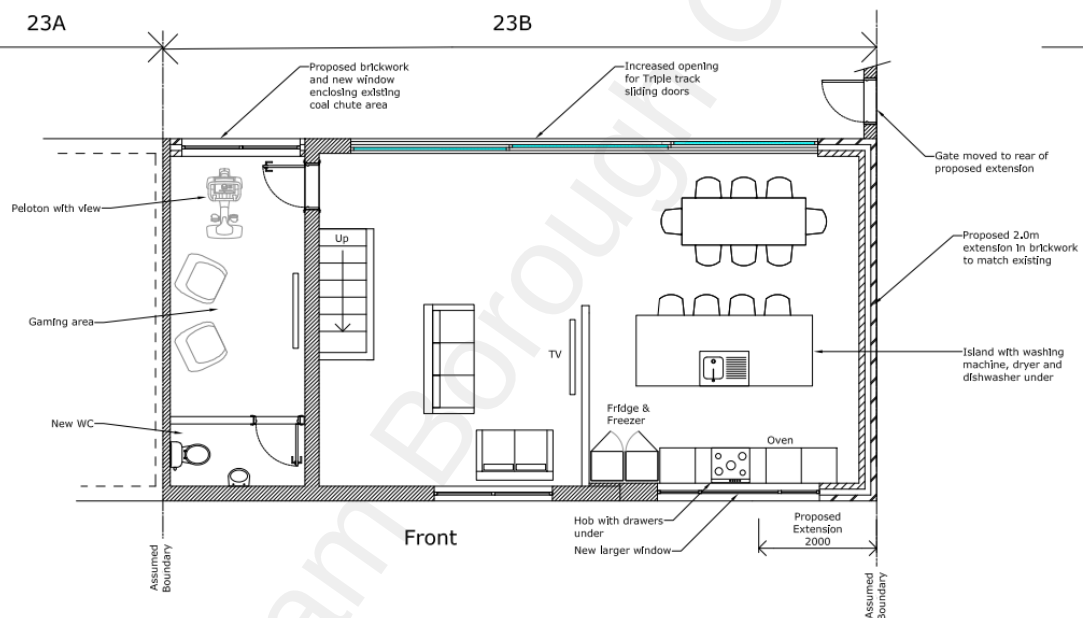
Views of front and rear of No. 25 Lyndhurst Way showing principal front and rear facing main windows serving ground floor space and only high-level secondary window on flank elevation with shed outbuilding positioned in front of it.

Second image also shows street lighting serving alleyway

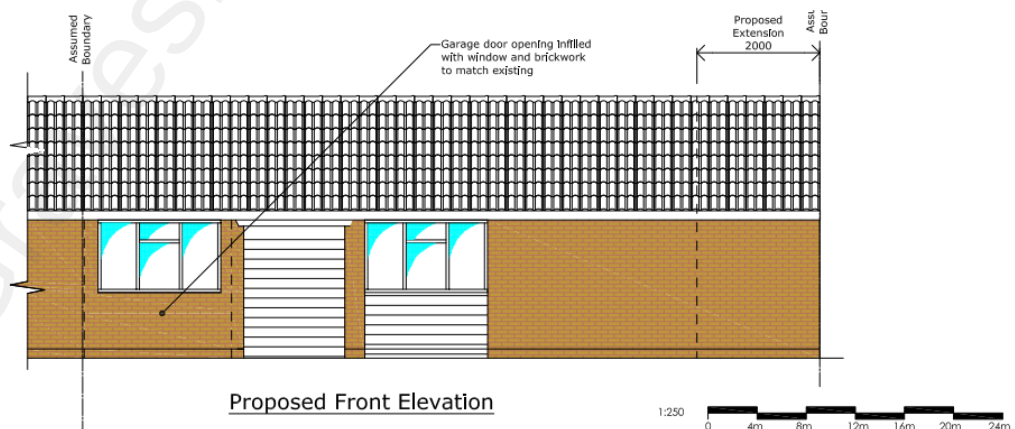
- 2.4. The house at No. 23B is served by two vehicle spaces located on the driveway in addition to the modest single garage that is predominantly used for storage. In determining application 20211171 the Council was satisfied that the provision of the two existing car parking spaces in front of the house was in accordance with the Council's adopted parking standards.

3. THE RECENT REFUSAL

3.1. As Detailed in the introduction of this statement, this revised application follows the refusal of an earlier application that was determined on the 15th of November 2021 under Council reference 20211171. A copy of the Council's delegated report which accompanied this decision can be seen in **APPENDIX 1** of this statement and a copy of the refused plans are detailed below:

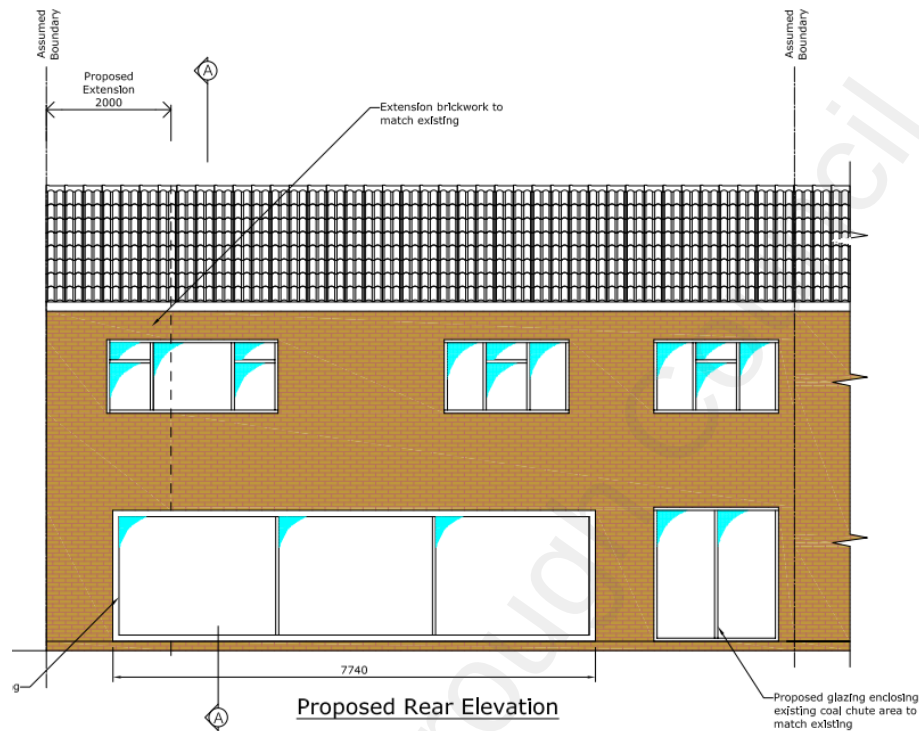


Proposed Floor plan



Proposed Front Elevation

1:250 0 4m 8m 12m 16m 20m 24m



- 3.2. As can be seen from the delegated report which accompanied the application, the Council raised no concerns in relation to the proposals incorporating the conversion of the existing garage space to provide a bedroom and a Local Planning Authority noted that two car parking spaces would continue to be available in front of the house as per the existing arrangement. This, in conjunction with the bike store that was shown in the rear garden satisfied the Local Planning Authority and the application was acceptable in terms of parking provision.
- 3.3. The application received no objections from surrounding residents including the neighbour at No. 25 Lyndhurst Way.
- 3.4. In terms of the Council's assessment, the main issues that were judged to exist related to the nature of the proposed extensions on the character and appearance of the existing dwelling and the surrounding area, and the amenity and privacy of neighbouring properties. The Council was satisfied that the internal reconfiguration of the property was appropriate and would be acceptable to its future occupants (that would continue to be the applicants).

- 3.5. In terms of character and appearance, the Council was critical that *“the side extension will be built in line with the front elevation and the ridge will not be set below the existing ridge”*. It went on to state that *“this kind of design although not facing a site boundary with a public highway did adjoin a public footpath which could give rise to antisocial behaviour”*. The report suggested that an extension of this nature should therefore be subservient to the host dwelling and that in this instance without this degree of subservience it represented a continuation of the existing building line resulting in a terracing effect and an unattractive end wall.
- 3.6. In terms of the impact on neighbouring amenity, the Council noted that the adjacent dwelling at No. 25 Lyndhurst Way had a window at ground floor level which it speculated served the kitchen. Whilst noting that no objections were received from any third party, the Council formed the view that the extension would result in an oppressive and overbearing outlook failing the 45-degree test from this window and the second ground for refusal was therefore added. The Council did however note that there would be no windows proposed at lower ground floor level and that the upper ground floor level window would serve an ensuite bathroom and could be obscure glazed and secured via planning condition.
- 3.7. It was therefore due to the lack of subservience to the design and the potential impact on the side facing windows serving No. 25 Lyndhurst Way as to why permission was refused.

4. RELEVANT PLANNING POLICY CONSIDERATIONS

- 4.1. In refusing planning permission, the Council referenced policies CS19 of the Local Plan Core Strategy 2014 and SPD4 - Householder Extensions / Alterations Design Guide (2021).

Gravesham Local Plan Core Strategy

- 4.2. Policy CS19 of the Core Strategy refers to development and design principles and requires new proposals to be visually attractive, fit for purpose and locally distinctive. The policy states that

the Council will look to conserve the character of the local built, historic, and natural environment and ensure that development is integrated well with the surrounding local area. It states that the design and layout of new residential development would accord with the adopted residential layout guidelines and for residential extensions, this comprises the draft Householder Extensions & Alterations Design Guide.

Householder Extensions & Alterations Design Guide (2021)

- 4.3. The key principles of the Council's draft Guidance focus on ensuring any extensions and alterations to a house respect its original character and utilise high quality materials. It also provides guidance to ensure that new development does not harm the privacy and amenities of adjacent properties.
- 4.4. In terms of single storey side extensions, the Council will look for the footprint of an extension to appear subservient to the original building and also looks for the width of an addition to be no greater than half the width of the original building.
- 4.5. In design terms, extensions should incorporate roof designs to reflect the main property's roof and the patterns of window should also reflect the original and local character. It states that walls to extensions should not form part of the site boundary with the public highway, so it does not appear oppressive.
- 4.6. In terms of overlooking, extensions should avoid inserting any habitable flank windows, increasing overlooking to adjacent properties and all additions must meet the 45-degree rule that is used to assess the impact on adjacent homes in terms of neighbouring light and outlook.
- 4.7. In addition to these considerations, all extensions must ensure that they retain adequate garden area for the enlarged house.

- 4.8. In relation to two storey side extensions, it states that additions should not directly abut a neighbouring boundary so as to minimise impact on amenity and avoid additional terracing. Once again it specifies that two storey side extension should appear subordinate and in scale to the original house.

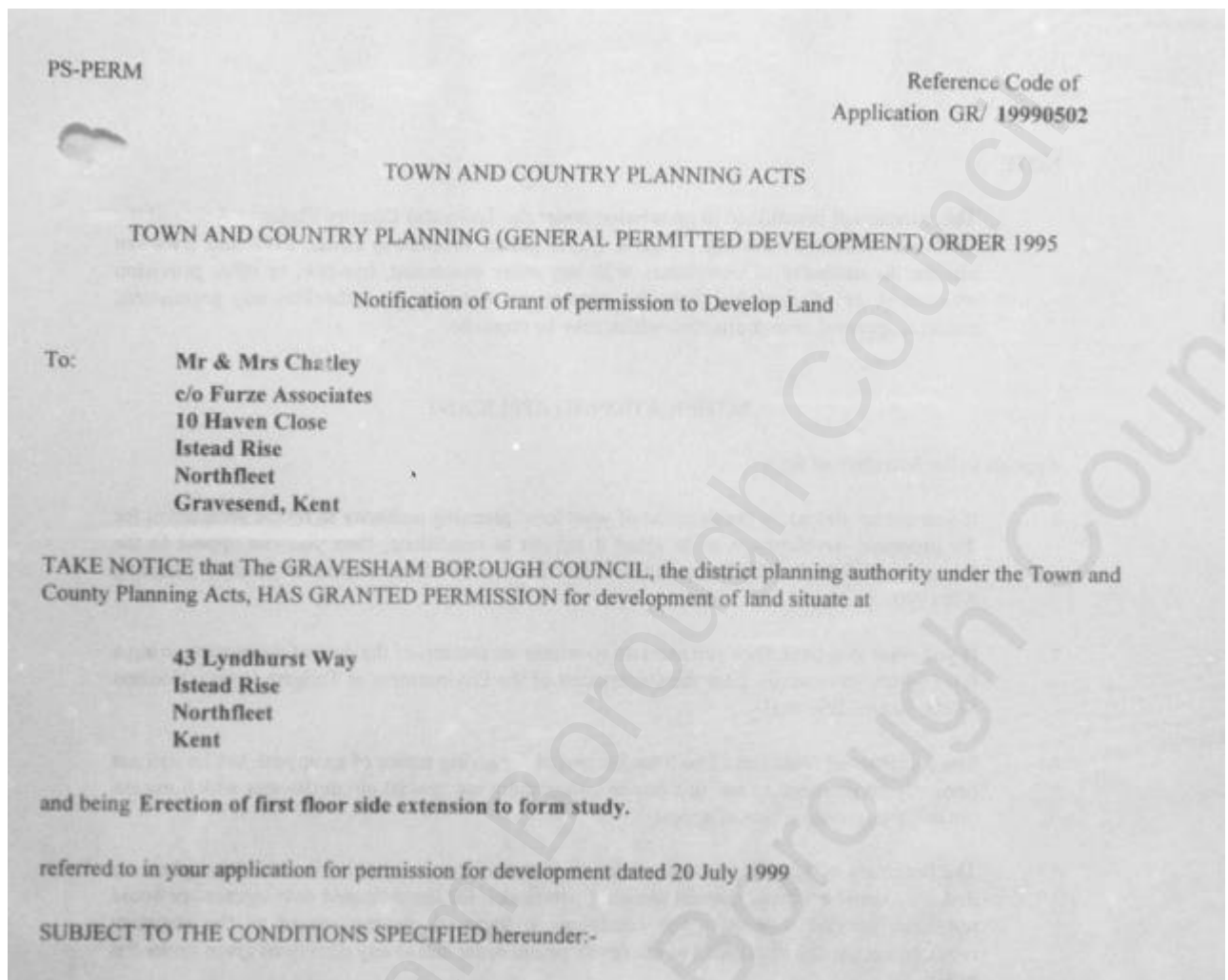
5. THE REVISED DESIGN, ADDITIONAL INFORMATION & CONCLUSIONS

- 5.1. The revised application herewith submitted continues to seek householder planning consent to introduce a two-storey side extension to the existing house and a single storey rear infill extension, the conversion of the integral garage to a habitable room and changes to existing windows including the replacement of the garage door with a window.
- 5.2. The revised application has however been amended and additional information is now provided in order to address the Council's previous two grounds for refusing planning consent as documented above.
- 5.3. In order to ensure that the proposed extension now has a subservient appearance to the original dwelling, the ridge line of the revised design is set down from the existing ridge and when viewed from the street elevation (the front) the extension has been set back from the front façade. These measures have been employed in order to ensure that the design has a subservient appearance with the existing house. This will ensure that the extension appears acceptable in terms of its subservient nature and would also retain the balance of this pair of semi-detached properties that comprise Nos. 23b & 23a Lyndhurst Way.
- 5.4. Reducing the height of the addition would also reduce its presence and dominance when viewed from the public footpath, and the Council will note that the plans would incorporate the repositioning of the existing boundary fence adjacent to the public footpath that would not require planning consent.
- 5.5. The Council will also note that an extension has recently been added to an existing property at 43 Lyndhurst Way where the existing dwelling has been extended to the side up to its boundary with the adjacent public footpath. This addition was approved on the 14 September 1999 under Council reference 199990502 and has not resulted in any issues in terms of safety or antisocial behaviour with the public footpath served by good quality street lighting (as is the

case with the footpath adjacent to No. 23B Lyndhurst Way. I attach a copy of the photograph below of No.43 with it positioned directly to the northwest of the application site.



Photos of extension added to No. 43 Lyndhurst Way up to its side boundary with public footpath.



Extract from side extension approval re: 43 Lyndhurst Way

- 5.6. Were the Council to have concerns in relation to antisocial behaviour the applicant would be willing to introduce a low-level security light on the flank wall of the extension in order to ensure that the public footpath is well lit. This could be secured via planning condition. However, the Council is advised that a streetlight is already in situ, and is positioned directly adjacent to the boundary with the applicants home that lights the footpath at present and photographs of this are also provided below:



View showing street lighting serving public footpath

- 5.7. In terms of impact on the amenities and privacy of No. 25 Lyndhurst Way, the Council's report in relation to application 2021171 suggests that this comprised a primary window or habitable window serving the adjacent dwelling. It does not. It comprises a non-habitable high-level window and a secondary window to the open plan living space that is served by rear facing patio doors and a principal window on the front of the house. It does not therefore comprise a habitable window nor does it comprise a principal window serving No. 25.

- 5.8. As this is a secondary window the 45-degree rule is not relevant. This rule is used in relation to habitable windows and is principally applied where there may be an unacceptable loss of light to a room. There would be no unacceptable loss of light to No. 25 given the fact that this is a secondary window serving the neighbours home, and as it is a high-level window and not a principal window serving the space. It is not currently afforded a degree of outlook nor will the outlook to the habitable space within the house be affected, as no impact would be caused on any principal windows serving this space.
- 5.9. Photographs of the neighbours dwelling are detailed above within this statement to illustrate the position and size of windows which serve the neighbours home.

Conclusions

- 5.10. Taking these material considerations into account, the revised design addressed the Council's concerns with the proposed extension now appearing subservient to the house.
- 5.11. The existence of street lighting serving the public footpath and the subservient nature of the extension would ensure that no increased antisocial activity occurs on the footpath adjacent to the house. In addition, the evidence herewith presented demonstrates that no unacceptable harm would be caused to the amenities of No. 25 Lyndhurst Way, subject to the side facing bathroom window being of obscured glazed design.
- 5.12. Taking these material considerations into account, and in the interests of consistent decision making having regard to the approval concerning No. 43 Lyndhurst Way, it is respectfully requested for this revised application to now receive householder planning permission.