



Delegated Report

Full Planning Application

Application No:	20230028
Location:	Garages Rear Of 55 London Road, Northfleet, Gravesend, Kent, DA11 9JR
Description:	Conversion and extension of existing garages to form one single storey one bedroom dwelling and garden.
Applicant:	Mr Sel Karim, Symmetry Developments
Site Visit:	9 th March 2023

Submitted Documents/Plans

- Application Form - dated 11/01/2023;
- Drawing no. 2223.WD.01A - Site Location Plan, with Existing and Proposed Block and Floor Plans;
- Drawing no. 2223.WD.02 - Existing East and North Elevations;
- Drawing no. 2223.WD.03 - Existing South and West Elevations;
- Drawing no. 2223.WD.04 - Proposed East and North Elevations;
- Drawing no. 2223.WD.05 - Proposed South and West Elevations.

Relevant Planning History

Reference	Description	Decision	Decision Date
20100036	Change of use of ground floor from A1 retail shop to a two bedroom self contained flat.	PERMITTED	10.03.2010
20070350	Construction of new pitched roof and replacement of ground floor window with a door.	PERMITTED	17.07.2010
20050655	Change of use of shop and post office to a hot food take-away incorporating new entrance door in the side elevation to access the first floor flat and widening of the opening in the existing garage building and provision of four car parking spaces at the rear.	REFUSED	10.11.2005
AP 06/00014/REF		APPEAL DISMISSED	05.07.2006
19890324	AMENDED APPLICATION Internal alterations & erection of single storey rear extension to form bathroom in connection with 1st floor residential accommodation and rebuilding of 3 no. garages at the rear.	PERMITTED	14.07.1989

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- P3 - Vehicle Parking Standards

Paragraph 33 of the NPPF (2021) 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 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- Section 2 - Achieving sustainable development
- Section 5 - Delivering a sufficient supply of homes
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 2 - Residential Layout Guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020
- Technical Housing Standards - Nationally Described Space Standard (2015)
- SPG 4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

Consultees

GBC Highways Officer - I can find no planning conditions that control the use of the garages/stores, therefore I can only consider the application in isolation of the main building to the front of the development site.

As a single bedroom dwelling in a suburban area, Kent County Council's parking guidance would suggest that a single parking and secure cycle parking space should be provided. The cycle can be stored in the small garden but there is no option regarding a car.

The area already suffers from parking stress, as is demonstrated by considering Google Street View Images. I am therefore minded to recommend refusal of the application, the previous conversion of the main building would have had an associated parking requirement for the retail unit to balance against the dwelling.



September 2015



May 2018



November 2022

Local Ward Councillors - No comment received.

Neighbouring properties

Five surrounding properties were consulted and one representation was received. The representation did not register objection, but expressed concerns with the development and raised the following considerations:

- Will the height of the building increase?
- The window will impede the alleyway if outward opening
- Removing three parking spaces will increase on-street parking pressure in the street

The consultation period expired 13th February 2023.

Officer's Analysis

Site Description

The application site is located on the western side of Beresford Rd, to the rear of no. 55 London Road. The site was formerly part of 55 London Road, a retail unit at ground floor with a flat above, which was converted into residential in 2010. At the rear there is a covered storage area and a triple garage block, which is the area subject of this application. It was clear from the site visit that the entrance to the flats and the covered store are separated by a wall.



The garage block and covered storage area from the principle part of this application within the redline plan. There is no planning history for the garage building, which according to historic satellite imagery has been in situ since at least the 1960s.

Proposed Development

This application proposes an extension to the garage block and conversion into a single storey dwelling. The block would be extended into the storage area with a depth of 1.9m and a width of 5.45m, and the storage area would be converted into a garden for the new dwelling. The height of the building will remain the same.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 182)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68)
- Areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 125(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

The proposed development for a net increase of '1' residential units would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2021) which requires new development to contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Design, Character and Appearance

Development Plan policy places considerable emphasis on the importance of achieving high quality buildings and places. Paragraph 126 of the NPPF (2021) states that good design is a key aspect of sustainable development. Paragraph 130 of the NPPF (2021) seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive, fit for purpose and locally distinctive. It also seeks to conserve and enhance the character of the local built, historic and natural environment and integrate well with the surrounding local area, whilst ensuring that the design, layout and form of new development will be derived from a robust analysis of local context and character and make a positive contribution to the street scene, the quality of the public realm and the character of the area.

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 121), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF. Relevant to this proposal, paragraph 124 of the NPPF (2021) states that developments that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed places.

In a similar vein, Policy CS14 (LPCS) sets out that new housing development is expected to provide a range of dwelling types and sizes, taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities. The proposal forms a 1 bedroom detached dwelling and this would therefore be supported by Policy CS14 (LPCS), providing design and character is also acceptable.

Policy CS15 (LPCS) seeks to achieve a minimum density for residential development in the urban area of 40 dwellings per hectare, subject to the overriding consideration that it achieves good design and does not compromise the distinctive character of the area. The application site measures 0.00916 hectares; one

dwelling on this site would exceed the density target of 40 at 109 dwellings per hectare, and this would therefore indicate that it would be an overdevelopment of the site.

The application site is located within the wider urban boundary of Gravesend, in a residential area that comprises of two storey terraced properties. As such, the house types in the surrounding area are uniform in character and their plot sizes are typically fairly generous, the properties are set back from the highway with good sized rear gardens.

The lower height of the garage block and alleyway create a more open position within the street scene, adding to the prominence for the site. The proposed development would be completely at odds with the character of surrounding properties and the size of surrounding plots, resulting in a cramped and incongruous layout in the context of surrounding properties. While it is acknowledged the existing garage building has been in place for many years, the garage is a non-residential use and has a different character to the proposed bungalow.

Moreover, there is a lack of defensible space around the dwelling or set back of the property from the site boundaries. The single storey nature of the proposed dwelling will not make a development here any less out of place, and would emphasise the different character and add to the unmistakably cramped nature of the site, as a bungalow generally requires a larger floor area and therefore would take up more of the site.

Lastly, the design of the proposed dwelling lacks any symmetry and has an incongruous appearance. The entrance door is off-set to the side and the high level window leaves a predominantly blank façade. Similarly, the placement of the velux windows adds to this imbalance and would be clearly visible due to the low height of the building. Therefore, in design terms the proposed dwelling is considered poor design harmful to the character and appearance of the street scene.

Therefore, whilst the proposal may seek to make a more efficient use of the site, and would provide a 1 bed dwelling, this should not be outweighed by the clear development plan objectives that include maintaining and improving the character of the area. The proposed dwelling will sit on a prominent and obviously smaller plot than its surrounding counterparts, and will result in a cramped over-development of the site that would be out of keeping with the character and appearance of the layout of the properties in the immediate area. On this basis, the proposal is considered to be contrary to the requirements of Policies CS15 and CS19 (LPCS), and paragraphs 121, 124, 126 and 130 of the NPPF (2021).

Amenity of Future Occupiers

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines' (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy. These standards came into effect on 1 October 2015.

The Nationally Described Space Standards (2015) sets out minimum gross floor areas for a single storey, one bedroom dwelling. These figures vary depending on the number of persons occupying the dwelling. In this case the plans demonstrate that the bedroom would be a double, and the dwelling would be for two persons. Therefore, the property would be considered against the 2 person dwelling requirement within the Nationally Described Space Standards.

Bedroom(s) /Person(s)	National Housing Standard Guidance	Unit Floor space
1 (2 person)	50m ²	49m ²

The table above demonstrates that the dwelling fails to comply with the minimum floor space for single

storey, one bedroom, two person property, and would be considered a substandard living environment. However, this figure is only marginally below the minimum standard and the plans state that the internal floor area would be 50m², and therefore the proposed dwelling is considered to, on balance, provide an acceptable living environment for future occupiers.

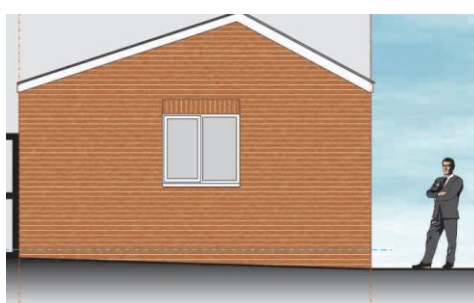
Nevertheless, Gravesham's RLG breaks down the measurements further, recommending minimum floor areas for specific rooms as shown in the table below. These recommended minimum floor areas have been compared to the proposed room sizes within the property for comparison.

	RLG (minimum floor area)	Proposed Room Size
Living/Kitchen/Diner	25.2m ²	30.1m ²
Double Bedroom	11.5m ²	11.7m ²
Bathroom	3.6m ²	3.9m ²

Table 2 has been colour coded (green complies) to show which rooms within the dwelling meet the guidance within the RLG. The table demonstrates that all rooms within the new dwelling meet the requirements set out in the RLG and that the development will provide an acceptable living environment for future occupiers.

In terms of amenity space, the proposed dwelling will have a garden area of 30m² and a maximum depth of 5.65m. The RLG states that the garden area for a one bedroom dwelling should have a minimum area of 37.2m² and a minimum depth of 7.6m. The garden will therefore be below the standard acceptable for the associated dwelling, and this will result in unacceptable, oppressive and cramped amenity space for the occupiers of the property, with an inadequate provision for storage, leisure use, clothes drying and play space.

In addition, as there is no defensible space around the dwelling or set back of the property from the site boundaries, the front and flank windows are likely to feel overlooked. The proposed bedroom window in particular is at a normal height and would also directly face onto the alleyway linking Beresford Rd and Burnaby Rd, approximately 2.02 from the footway of Beresford Rd. This would impact on the amenity of future occupiers of the dwelling to the detriment of their privacy and security through the lack of defensible space around the dwelling.



Lastly, the amount of natural light into the dwelling is a concern. The majority of the windows are east facing, with the exception of the south facing bedroom window and the bifold doors. However, the south facing bedroom window fronts the alleyway and the flank wall of the two storey property of no.1 Beresford Rd and will therefore be overshadowed for most of the day. While the north facing bifolds are enclosed by the boundary wall on both sides and would receive reduce levels of natural light. As such, although the rooms meet the requirements of the RLG the quality of the living accommodation provided is limited by virtue of the cramped and constrained site to the detriment of future occupier amenity.

There is a clear conflict with the requirements of the current SPG2 Residential Layout Guidelines (2020), Policy CS19 (LPCS) and paragraph 130f of the NPPF (2021) in respect of the failure to provide a high

standard of amenity and living conditions for future occupants of the existing and proposed dwellings on the site.

Neighbouring Amenity

Policy CS19 (LPCS) seeks to protect amenity and ensure acceptable future living conditions. Section 16 of the NPPF (2021) also assists and seeks to ensure developments will function well, do not undermine quality of life and create attractive and comfortable places to live, work and visit and seeks to “secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

The proposed conversion is not considered to impact on the amenity of any adjoining property. Although the building will be extended into the existing storage area, this space is not utilised by the flats and is not part of the amenity space for the flats at no. 55 London Rd. There will be no overlooking with the proposed dwelling being single storey, and with no upward extension there will be no impact on light, no increased sense of enclosure or loss of outlook.

Therefore, the development is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

Parking and Highways

The new dwelling will have no off-street parking provision. Gravesham’s adopted parking standards (SPG4) (2006) states that a single bedroom dwelling within the urban area should provide one off-street parking space and one secure cycle space. There is space in the garden area to store a cycle securely, however the lack of off-street parking is contrary to SPG 4.

Gravesham’s Highways Officer has expressed concerns with the lack of off-street parking in an area that suffers from parking stress and pressure, as highlighted in the screenshots below:



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As such, the Highways Officer has recommended refusal of the application on highways grounds by virtue of the new dwelling increasing parking pressure, which would be exacerbated by the removal of three off-street parking spaces in the garages. Therefore, the development is contrary to Gravesham’s adopted parking standards SPG4 (2006), as well as Policy CS11 (LPCS).

There were concerns raised by a nearby resident regarding the proposed flank window impacting on the use of the alleyway and impede vehicles. While this is a material consideration, if permission were forthcoming, planning conditions could ensure that the window is non-opening or a fanlight top hung window to limit any impact on the alley.

Any Other Material Planning Considerations

Refuse - Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste.

The plans demonstrate that the bins will be stored in the garden area and it is assumed that these would be dragged onto the footway on collection days. Therefore, there are no concerns relating to waste and refuse for future occupiers.

Ecology and Biodiversity (Bird Mitigation) - The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering water birds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites, which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £275.88 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

In this instance, the proposed development would result in the creation of an additional residential property and as such, additional recreational activity would result. Therefore, it is considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS). In such cases the Borough Council has adopted a tariff that is payable for each new dwelling unit within 6km of the SPA/Ramsar site of £275.88 per new dwelling unit.

The applicant has not paid the SAMMS Mitigation Contribution Agreement tariff and therefore failed to comply with the requirements of the Habitat Regulations, as well as Section 15 (specifically paragraphs 180 and 181) of the NPPF (2021) and Policy CS12 (LPCS).

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

While it is acknowledged that the proposal would provide a minimal contribution towards increasing housing numbers in the area, the adverse effects of granting planning permission in relation to the cramped nature of the plot being out of character, the failure to safeguard future occupier amenity and the impact on parking, in this instance would significantly and demonstrably outweigh this small benefit. In addition, the development has failed to safeguard biodiversity or mitigate harm caused to the Special Protection Areas. On this basis, the application is unacceptable and it is recommended that planning permission is refused.

Recommendation

Refusal

(For detailed reasons for refusal and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	10 th March 2023	Dated:	13 March 2023