



Delegated Report

Householder Planning Application

Planning Application No: 20231034

Location: 33 Park Avenue Northfleet Gravesend Kent

Description: Demolition of the existing garage and erection of a single-storey outbuilding to be used as a gym/office.

Applicant: Ms Simran Kaur

Site Visit Date: 23.10.23

Submitted Documents/Plans

Application Form;
Title Plan (received on 16.10.23);
33 Park Avenue Plot Boundary Plan (received on 16.10.23);
Drawing no. PP 101 – Site Location Plan and Block Plans – Existing and Proposed;
Drawing no. PP 102 – Floor Plan and Elevation – Existing; and
Drawing No. PP 103 – Elevations and Floor Plan – Proposed.

Relevant Planning History

Reference	Description	Decision	Decision Date
19790819	Erection of a garage at the rear	Permitted	23.10.1979

Planning History Note

The above permission for the garage included a condition to limit the use of the garage in order to protect the off-street parking provision as indicated below:

- (i) The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.
- (ii) The garage hereby permitted shall be used only for the parking of a private motor car or cars or for uses ordinarily incidental to the enjoyment of the occupiers of the domestic dwelling and no development, whether permitted by the Town & Country Planning General Development Order 1977 or not, shall be carried out on the site in such a manner or in such a position as to preclude vehicular access into the garage.

and that the grounds for the imposition of such conditions are: —

(i) In pursuance of Section 41 of the Town and Country Planning Act 1971.

(ii) **That the development without provision for adequate accommodation for the parking or garaging of a private motor car or cars is likely to lead to car parking inconvenient to other road users and detrimental to amenity.**

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 (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-designed Places

Supplementary Planning Guidance

- 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); and
- Householder Extensions/Alterations Design Guide (2021).

Consultations, Publicity and Representations

Consultees

Local Ward Councillors

No comments received.

GBC – Highways Officer

The existing garage is of sufficient size to be viable to accommodate a single car, therefore its removal removes an off street parking space from the property.

Google Street View images show that on street parking along Park Avenue is high and potentially the images do not reflect the highest demand.



November 2022



May 2018



August 2016

There is also the possibility the proposed office/gym could be used in the running of a business, particularly as it has direct access from the highway via Brook Road which would create its own car parking demand.

I would therefore recommend refusal of this application.

Neighbouring properties

8 surrounding properties were consulted, a site notice was displayed on 23.10.23 and no responses were received. The overall consultation period expired on 17.11.23.

Officer's Analysis

33 Park Avenue is a two storey mid terraced property located off the highway. There is an access road that serves properties along Park Avenue and provides access to rear garages.

Google Aerial Image



Site Photos

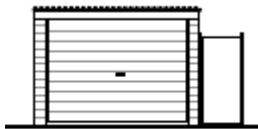
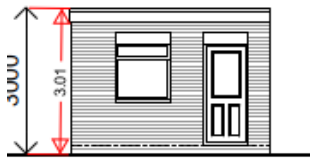
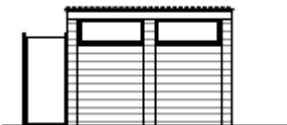
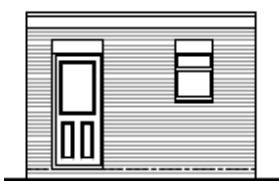


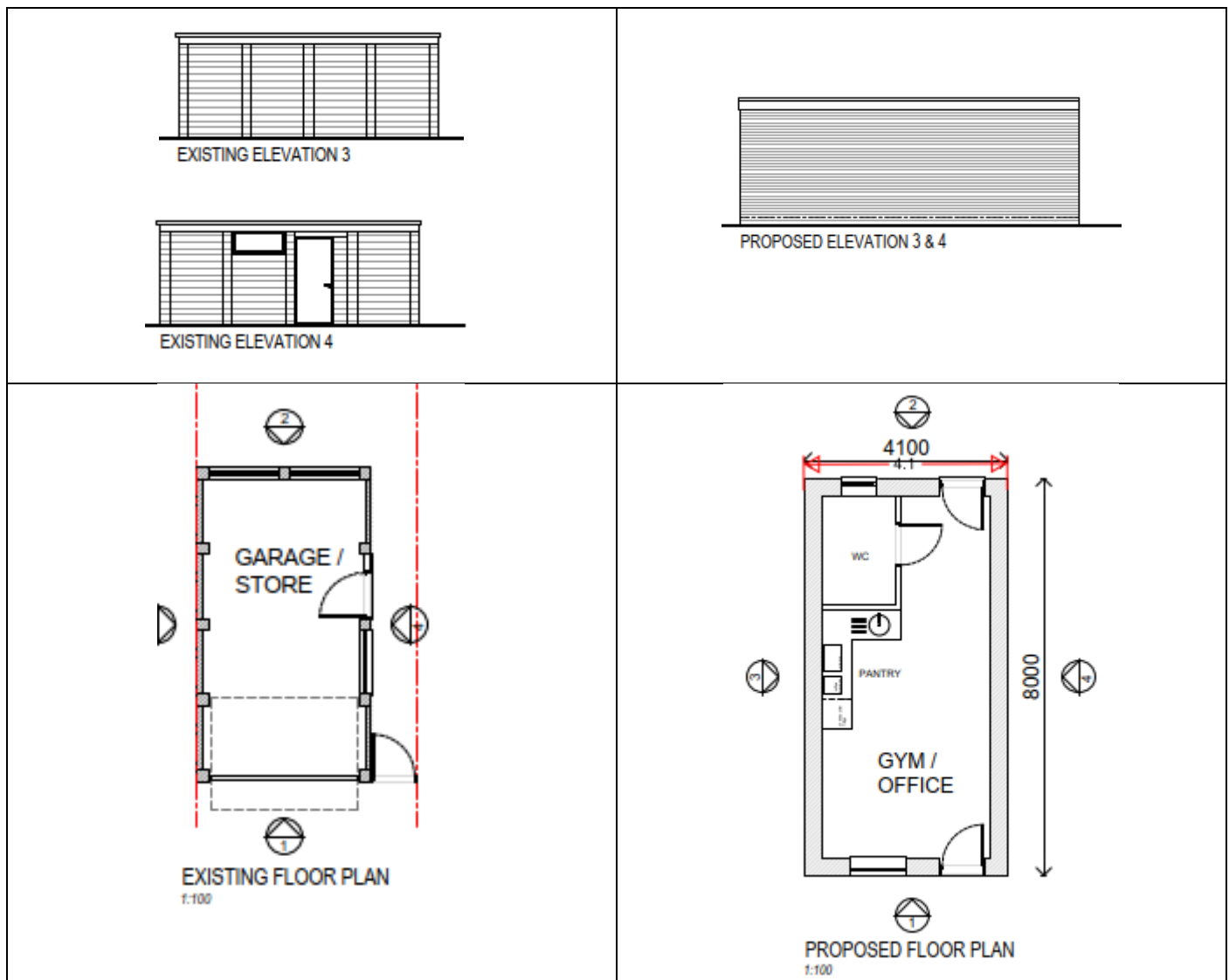
Proposed Development

This application proposes the demolition of the existing garage and erection of a single storey outbuilding to be used as a gym/office. The floor plans show there would be a pantry and WC in the outbuilding.

The development would have the following dimensions:

- Height 3.01m
- Depth 8.01m
- Width 4.10m
- Existing garage footprint 18.94sqm
- Proposed outbuilding footprint 32.86sqm

Existing	Proposed
 EXISTING ELEVATION 1	 PROPOSED ELEVATION 1
 EXISTING ELEVATION 2	 PROPOSED ELEVATION 2



Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area.

Gravesham's Householder Extensions/Alterations Design Guidance (SPD) (2021) states *it is important to ensure that any extensions or alterations to a home are well designed, well-built and sympathetic to their surroundings. By doing so we can ensure that there are no adverse effects on the original house, immediate neighbours, the local view of the street, as well as the character and appearance of the local area.*

The Design SPD (2021) includes specific guidance for outbuildings:

Outbuildings

10.14 An outbuilding should normally only be used for purposes incidental to the enjoyment of the house. Examples could include common buildings such as garden sheds, other storage buildings, garages, and summer houses. A purpose incidental to a dwelling house does not include use as separate self-contained accommodation, or other primary living accommodation incorporating such components as a bedroom, bathroom, or kitchen. Proposals to provide separate accommodation or a commercial use (unless it constitutes working from home) in an outbuilding requires planning permission.

10.15 Outbuilding should not deprive the existing property of adequate private garden space and should be subordinate in scale to the existing dwelling and to the plot. In assessing proposals, the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment.

10.16 As with all extensions, outbuildings should not detract from the character of the area (this is especially important where the outbuilding will be visible from the street) and should be unobtrusively located to the side and rear of the existing dwelling. They should also not have an adverse impact on the amenity of the surrounding properties in terms of noise and disturbance created through access or overlooking / overshadowing of existing properties.

Section plans have not been provided with this application, however it was noted on the site visit that the land slopes down towards the west, and the existing garage already sits higher than the adjoining garages.



The new outbuilding would result in a significant increase in built form within the rear garden environment.



The height of the proposed outbuilding in situ (which would be approximately 0.70m higher than the garage), along with the boundary to boundary width, the proposed fenestration facing Brook Road and built form extending towards the rear access road, would overall result in a prominent and incongruous building that would not integrate well with the character of the surrounding area. The bulk and massing

of the development would not be considered to be subordinate, and the development would be highly visible from Brook Road.

Use of the Outbuilding

Notwithstanding the description of the proposal, the outbuilding is not considered to be incidental to the main dwellinghouse. The plans show it would contain primary living accommodation in terms of the WC, room described as gym/office and pantry (containing sink, fridge, microwave etc.). Additionally, it would have its own separate access from the alleyway/access road, indicating it could be used independently from the main dwelling as a separate unit of accommodation or for business use.

In a pre-planned residential development consisting of two storey terraced dwellings, a single storey flat roofed separate unit of accommodation/business unit would not be considered in keeping with the surrounding area and would therefore be an incongruous addition to the rear garden of the application property, that does not respond to the context of the area.

Amenity of Future Occupiers

Gravesham's SPG2 – Residential Layout Guidelines (RLG) (2020) sets out expected garden space post development. It is noted that the existing garden area is already below requirements at 31.38sqm. The development would result in a 25.67sqm garden area.

Use of the Outbuilding

The "Technical housing standards – nationally described space standard" was published by the Department for Communities and Local Government in March 2015. This document sets out requirements for the gross internal area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home. If the outbuilding were to be used as a separate unit of accommodation, it would fall below the 39/37.00m required for a 1 bedroom, 1 person dwelling. Furthermore, there would be concerns in times of privacy/overlooking and the lack of private amenity area.

As such, the proposed development would not safeguard the amenity of future occupiers contrary to Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2023).

Neighbouring Amenity

No neighbour responses were received during the consultation process, however the development has been assessed in terms of neighbouring amenity.

No.35 Park Avenue has an existing garage and as such, the proposal would be unlikely to impact the amenity of No.35. In terms of No.31, the development would result in built form along the shared boundary. This could result in a perceived sense of enclosure due to the existing garage at No. 29. However, it is noted that there is an existing high boundary treatment between No.s 33 and 31 and the proposal is located to the rear of the site. On balance, the development can be considered an unneighbourly form of development but would not be detrimentally harmful to the amenity of No. 31.

Fenestration

The proposal would introduce a window and door in the rear of the outbuilding facing properties along Brook Road. Notwithstanding the design concerns with this development, the fenestration raises concerns in terms of privacy between the outbuilding and properties along Brook Road. As such, if the Local Planning Authority were looking to permit the development, a condition to ensure the door and window were obscure glazed, with the window being fixed shut, could be added to the decision notice to ensure privacy.

Use of the Outbuilding

As presented, the outbuilding would be used as an office/gym. However, as aforementioned above, if the outbuilding was to be used as a separate unit of living accommodation/ business unit, then it would be considered that these uses would have a detrimental impact on neighbouring amenity, as the use in these instances would be intensified/different.

On balance, from the perspective that the outbuilding would not be used as a separate unit of accommodation/business unit, the proposal is considered to safeguard neighbouring amenity in accordance with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2023). If the outbuilding were to be used as a separate unit of living accommodation/ business unit then it would be considered that these uses would have a detrimental impact on neighbouring amenity, as the use in these instances would be intensified/different.

Highways and Parking

As per Gravesham's Highways Officer's comments, the *existing garage is of sufficient size to be viable to accommodate a single car*. The proposal would result in the loss of the garage and therefore off-street parking provision. Gravesham's Highways Officer raises concerns regarding the use of the outbuilding. The use of the outbuilding as a separate unit of accommodation or as a business unit would lead to further parking demand.

Overall, the development would result in the loss of a parking space and is considered contrary to SPG 4 - KCC Parking Standards (2006) and Policy P3 of the Gravesham Local Plan First Review (1994), which expects development to make provision for vehicle parking.

Any Other Material Planning Considerations

Groundwater Protection Zone

The site is located within a Groundwater Protection Zone 2 area, however, the proposal would be unlikely to be impacted by this constraint.

Archaeology

The site lies within an area of multi-period archaeological potential. However, the proposed development is unlikely to have any archaeological impact.

Conclusion

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

The development would result in a significant increase in built form within the rear garden environment, resulting in a prominent and incongruous building that would not integrate well with the character of the surrounding area. As such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014), and Section 12 of the National Planning Policy Framework (NPPF) (2023).

In addition, the development would result in a loss to the already insufficient garden space which would therefore fail to safeguard the amenity of future occupiers, contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014), and Section 12 of the National Planning Policy Framework (NPPF) (2023).

Furthermore, the development would result in the loss of a parking space and is considered contrary to SPG 4 - KCC Parking Standards (2006) and Policy P3 of the Gravesham Local Plan First Review (1994), which expects development to make provision for vehicle parking.

Recommendation

Refusal

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

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	23rd November 2023	Dated:	23rd November 2023