



Delegated Report

Planning Application

Planning Application No: 20221170

Location: 1 Sirdar Strand Gravesend Kent DA12 4LP

Description: Erection of a two storey side extension and part two storey and part single storey rear extension. Erection of a double garage with electric charging point in the rear garden, the incorporation of amenity land into the residential curtilage.

Applicant: Mr Jasbir Dosanjh

Site Visit Date: Previous site visit conducted on 08.09.22 plus additional visit in November 2022

Preliminary Matters

When initially submitted, it was noted that the red line boundary included amenity land that records indicate are in Kent County Council Highways ownership (highlighted in yellow below).

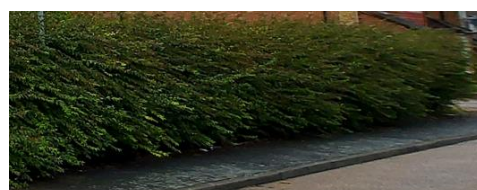


The application was then made deficient due to plan discrepancies and the incorrect application form being used. Additionally, the land ownership was queried with the agent. Revised plans and a full application form were received in order to address these discrepancies.

Furthermore, it was noted that the existing established hedge on the amenity land has been removed and a fence has been constructed without the benefit of planning permission.



Hedge prior to its removal



This does not affect the determination of this application.

Submitted Documents/Plans

Application Form;
Supplementary Information – Design and Access Statement;
Drawing No. 01B – Block plans – Existing and Proposed with OS Plan;
Drawing No. 02 – Ground and First Floor Plans – Existing;
Drawing No. 03 – Ground Floor Plan - Proposed
Drawing No. 04 – First Floor plan - proposed
Drawing No. 05B – Side Elevation – Existing and Proposed
Drawing No. 06B– Front and Rear Elevations – Existing and Proposed;
Drawing No. 07 – Other Side Elevations – Existing and Proposed;
Drawing No. 08A – Garage Floor Plans and Elevations – Proposed; and
Drawing NO. 09 – Sewer Layout.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220920	Demolition of garage in the rear garden, erection of a two storey side extension and part two storey and part single storey rear extension. Erection of a porch, installation of solar panels in the roof slope fronting Vigilant Way and erection of an outbuilding in the rear garden with electric charging point.	Refused	19.10.2022
TH/6/54/91A (19540471)	Composite development of land	Permitted	05.06.1957

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- 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)

- 2 – Achieving Sustainable Development

- 12 – Achieving sustainable development and well-designed places
- 15 – Conserving and enhancing the natural environment

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

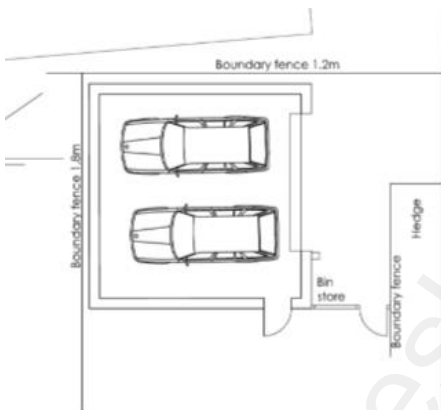
No comments.

GBC – Highways Officer

Initial comments prior to application being made deficient

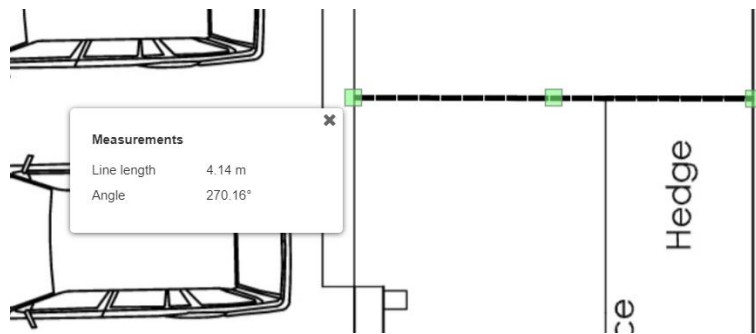
This proposal is confusing.

1. A double garage is proposed but access to one side appears to be blocked by the retention of the boundary hedge and fence.



A 2m x 2m pedestrian visibility splay should also be provided down the side of the widened driveway.

2. It is stated in the submitted design statement that a vehicle will be parked in front of the garage, as this distance is some 4.14 metres, this clearly does not conform to standards and is not acceptable.



- The distance between the garage and the highway also would result in a vehicle waiting on the highway whilst the garage door is opened or closed, but given that Sirdar Strand is not likely to carry significant traffic, this is not a reason for refusal as it is unlikely it would be sustained at appeal.

Subject to a revision to the proposal to show a full width drive to serve the garage with a widened carriage crossover, with the drive constructed from a bound permeable paving and the 2m x 2m pedestrian visibility splay being provided adjacent to the new widened drive with nothing over 850mm tall within the splay I would have no objections. (Ideally, there should be a minimum of two parking spaces to serve a four or more bedroom property)

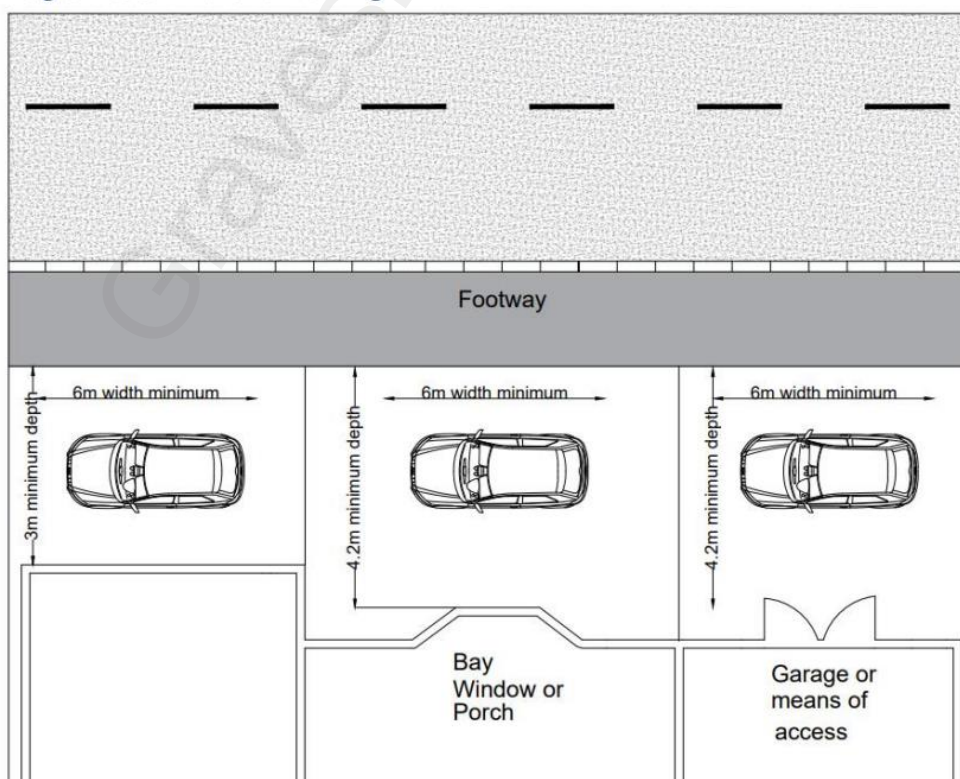
Further comments when application was made valid after discrepancies were resolved

This proposal converts a three bedroom property into a four bedroom one. As such there is a car parking requirement for two car parking spaces increased from 1.5. There is also a requirement to provide a secure cycle parking space to comply with the requirements of SPG4 of one cycle space per bedroom.

In terms of the proposed car parking layout I consider it unacceptable. Whilst two cars can be parked in the garage with room to accommodate a cycle. The space immediately in front of the garage does not meet the requirements of Kent County Council for parallel parking.

The Kent County Council Dropped Kerb Application Guidance gives the following information.

Diagram C & D: Parallel Parking:



So, a car parked in front of a garage needs a depth of 4.2 metres between back edge of footway and the garage door. Here I measure that distance as some 3.8 metres. The garage depth would therefore have to reduce the depth of the garage by some 400mm to achieve the necessary 4.2 metres. The reduced garage size would still comply with the requirements of SPG4.

The applicant should also widen the carriage crossover to double width to ensure ready access to both sides of the garage.

KCC – Highways

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.

Informative: It is important to note that planning 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 planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, 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 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 formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. 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.

Neighbouring properties

Five surrounding properties were consulted and no responses were received. The consultation period expired on 30.01.23.

Preliminary Matters

Planning permission was refused for the demolition of garage in the rear garden, erection of a two storey side extension and part two storey and part single storey rear extension. Erection of a porch, installation of solar panels in the roof slope fronting Vigilant Way and erection of an outbuilding in the rear garden with electric charging point under application reference number 20220920 on 19.10.22. During the application process, it was noted that the outbuilding could function independently from the main house and as such was considered to be a self-contained dwelling. Application 20220920 was refused on the following grounds:

1. The development is considered to be poor design with an excessive footprint and would result in a bulky, disproportionate, incongruous addition to the site that is not subordinate or sympathetic to the existing dwelling. In addition the development fails to respond to the context of the area and would disrupt surrounding building lines and street pattern. Furthermore, the proposal is considered to be excessive overdevelopment of the site that would be highly visible from the public vantage point, especially given the prominent corner location of the site. As such, the proposal is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).
2. The size and bulk of the proposed development would have an oppressive effect and cause a sense of enclosure and loss of outlook for neighbouring properties. The proposal is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).
3. In a pre-planned residential development consisting of two storey semi-detached dwellings, what is essentially a single storey flat roofed bungalow would not be considered in keeping with the surrounding area and would therefore be an incongruous addition to the street scene that does not respond to the context of the area. As such, the new dwelling is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).
4. The new dwelling would fail to safeguard the amenity of future occupiers. In addition to the inadequate floor space provision, the occupants of the new dwelling would be subject to a sense of enclosure due to the size and proximity of surrounding buildings. The 10.50m distance between the existing dwelling and new dwelling is not sufficient and would result in a loss of privacy for the occupiers of both properties. Furthermore, neighbouring properties would overlook the new dwelling. Moreover, (although inappropriate in design terms), the size of the site is insufficient to accommodate separate private garden areas for both properties. Therefore the development is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Gravesham's SPG 2 - Residential layout guidelines (RLG) (2020), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).
5. The new dwelling would fail to safeguard the amenity of neighbouring properties and would result in a loss of privacy due to insufficient privacy distances between windows contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).
6. The proposal fails to provide adequate off-street parking provision for a 4 bedroomed dwelling plus a new one bedroom dwelling which is considerably below recommendations within Gravesham's adopted Supplementary Planning Guidance; SPG 4 - KCC Parking Standards (2006) and represents overdevelopment of the site contrary to Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Saved Policy P3 of Gravesham Local Plan First Review (1994).
7. The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment, the development fails to comply with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework (NPPF) (2021) and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

As this current application has removed the new dwelling from the proposal, the grounds relevant to this application are 1, 2 and 6. It therefore stands to be assessed whether this resubmission addresses these grounds of refusal.

Officer's Analysis

1 Sidar Strand is a two storey semi-detached property located on a corner plot to the west of Sidar Strand and to the north of Vigilant Way. When the site visits were conducted, it was noted that the garden area to the front, side and rear of the property has been cleared and the existing garage had been demolished. As aforementioned in this report, the established hedging situated on the adjoining amenity land has been removed with the land now enclosed by a high level fence. The Google image below indicates how the property formerly appeared.

2018 Google Street View Image



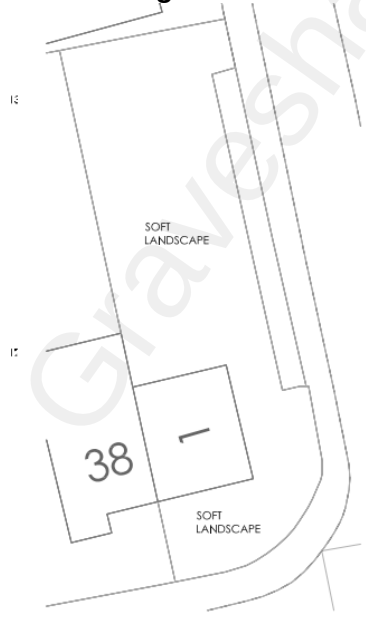
Photo taken on Site Visit 08.09.22



Proposed Development

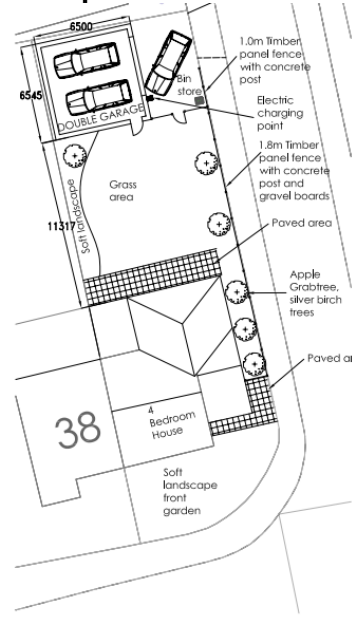
This application proposes the erection of a two storey side extension, part two storey and part single storey rear extension, erection of a double garage with electric charging point in the rear garden and the incorporation of amenity land into the residential curtilage.

Existing Block Plan



EXISTING BLOCK PLAN Scale 1:200

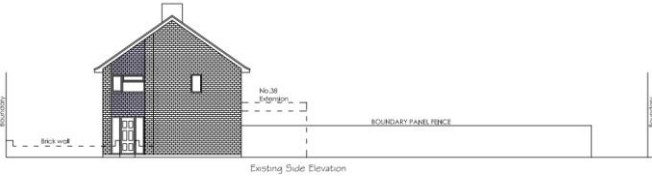
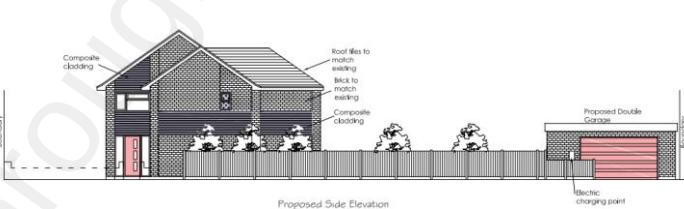
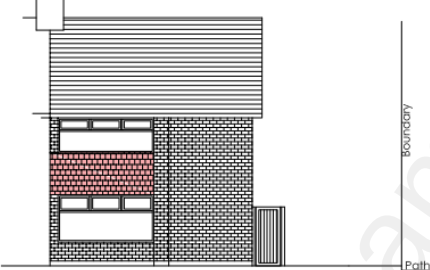
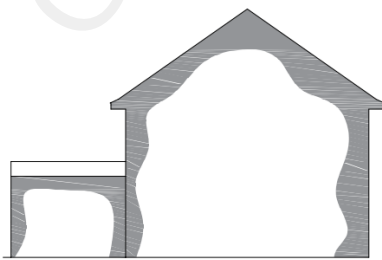
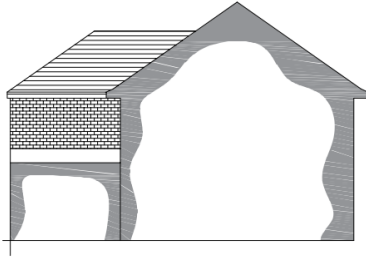
Proposed Block Plan



PROPOSED BLOCK PLAN Scale 1:200

The (maximum) dimensions of the proposed development are as follows:

Double Garage • Height 2.85m • Depth 6.49m • Internal Depth 5.89m approx. • Width 6.53m • Internal Width 5.87m	Parking Area • Depth 3.81m
Single Storey Rear Element • Height 2.92m • Depth 3.60m • Width 3.00m	Two Storey Rear/Side Extension Element • Height 6.77m • Width (measured from rear) 6.20m • Width (measured from front) 3.00m • Depth 8.78m

Existing Elevations  Existing Side Elevation	Proposed Elevations  Proposed Side Elevation
 Existing Front Elevation	 Proposed Front Elevation
 Existing Rear Elevation	 Proposed Rear Elevation
 Existing Side Elevation	 Proposed Side Elevation

The development would create space for a new kitchen/dining area, utility room and shower at ground floor level, an additional bedroom study and ensuite at first floor level and off-street parking provision.

Design, Character and Appearance

Development Plan policy places considerable emphasis on the importance of achieving high quality buildings and places. 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 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

Two Storey Element

Gravesham's Design Guide, Householder Extensions/Alterations Design Guide (Design SPG) (2021) sets out the expectations for proposed extensions. As per the guide, two storey rear/side extensions should ensure the following:

- Proposals consider the surrounding context
- The extension does not dominate the original property
- Extensions should generally not be built up to site boundaries
- Extensions should not be of a greater width than the original building
- Be considerate of overlooking
- Incorporate roof designs that tie in with and do not overwhelm the main property's roof

Additionally, the site is located on a corner plot and therefore the following should also be considered:

- Development should generally reflect the surrounding building lines where they are a key and clear part of the local character. Any projection forward of the building line on the return street must be very carefully considered as this will be highly visible
- Extensions that result in overbearing end walls, including blank, uncharacteristic gables, or flank walls, will generally not be acceptable. Walls to extensions should not form the site boundary with the public highway, as these can be oppressive and encourage antisocial activities.

The plans show the two storey side/rear extension would be set in from the front elevation and down from the roof. The incorporation of amenity land into the residential curtilage would also make space for an approximate 1.54m gap between the development and new fence/boundary. The plans received for this application attempt to soften the appearance of the extension with some detailing including cladding and brick detailing. Notwithstanding this, it remains excessive in bulk, massing and overall footprint and the delegated report for the previous application remains relevant. From the rear elevation, the width of the two storey rear/side extension is similar to the width of the existing dwelling, this is without consideration to the proposed single storey rear element. In addition, the extension would still have a greater depth than the existing house. As stated in the previous delegated report for refused application 20220920 and shown by the plans above, the extensions to the main house would result in an incongruous dominating addition to the dwelling, giving the appearance of an additional proposed dwelling, rather than extensions. This is particularly apparent from the rear vantage point where the roof form contradicts the roof of the existing dwelling. Exacerbating the above, the site is located in a prominent corner position meaning it is highly visible from the public vantage point.

The 'side elevation' fronting Sirdar Strand itself, forms a pattern that is replicated within the local vicinity and is characteristic of the street scene.



Although the plans include some detailing which attempt to soften the appearance of the extension, the proposal would result in a bulky, dominant and overbearing side elevation which would disrupt the street pattern and building lines. This, along with the overall design and size of the development cannot be considered subservient and would cause irrecoverable harm to the appearance and character of the dwelling and of the local area.

Single storey Element

In isolation, the single storey element of the extension could be considered to be subordinate to the main dwelling, however the windows do not align well with the existing first floor windows of the dwelling. With consideration to the proposed development as a whole, the single storey extension appears disjointed and unsympathetic to the main dwelling resulting in an incongruous addition that contributes to the overdevelopment of the site.

New Garage

As per Gravesham's Design Guide, Householder Extensions/Alterations Design Guide (Design SPG) (2021), garages:

- Should be subordinate in scale to the existing dwelling and the plot
- Should not detract from the character of the area
- Double garages should provide clear internal dimensions of 5.50m (length) by 6.00m width

The footprint of the double garage (42.51sqm) is only slightly below the footprint of the existing dwelling (44.95sqm). However, on balance, the garage is single storey with a height of 2.85m, with brick detailing to match the dwelling which is considered visually acceptable. This will be discussed further in the highways and parking Section of this report.

Incorporation of amenity space into residential curtilage

As aforementioned in this report, amenity land located directly adjacent to the site has been enclosed with a 1.80m timber panel fence with concrete posts and gravel boards (as per proposed block plan).

The fencing was erected without planning consent and requires planning permission by virtue of exceeding 1m in height adjacent to a highway, and therefore fails to comply with Schedule 1, Part 2, Class A.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

The fencing has a detrimental impact on the character and appearance of the street scene as it directly abuts the pedestrian walkway with no soft landscaping proposed to soften the appearance of the boundary treatment. This will be further assessed in the highways section of this report.

Soft Landscaping

The soft landscaping indicated on the proposed block plan is considered positive and is welcomed.

Materials

The proposed external materials for the extensions include brick walls and roof tiles to match the existing dwelling, UPVC windows and doors, a composite front door and LED lighting. It is unclear from the plans where the LED lighting would be, but the other proposed materials are considered acceptable. The plans also indicate composite cladding. Although examples of this are seen within the street scene, hanging tiles are preferable and considered better design. Although the arrangement and alignment of windows has improved since the previous application, it would be desirable for this to be improved further, and where possible the window frame and style should match the existing dwelling.

Street Scene

There are various two storey front extensions and side extensions within the local vicinity and so the principle of development is acceptable, as long as it complies with current policy and guidance. The design and access statement references other properties within the surrounding area that have carried out development to establish what has been permitted previously. Each application is assessed individually on its own merit, with consideration to its prominence within the street scene and needs to comply with current guidance and policy. Furthermore, looking at the planning history for some of the properties listed on the design and access statement, it appears these permissions were granted prior to the adoption of the current Local Plan Core Strategy (2014) and the supplementary planning guidance; Gravesham's Design SPD (2021). Overall, the context is considered to be different and as such this is not a material consideration or justification for the works proposed.

Overall, the proposed development is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014), and Section 12 of the National Planning Policy Framework (NPPF) (2021). Therefore the proposal has not addressed ground of refusal 1 of previous application reference 20220920.

Amenity of Future Occupiers

The proposed extensions to the main dwelling result in internal layout changes and additional rooms. The proposed rooms on the ground floor meet Gravesham's SPG 2 - Residential layout guidelines (RLG) (2020) requirements. On the first floor, some of the bedrooms are under 11.5sqm and can therefore only be used as single bedrooms. In addition, the ensuite on the first floor is undersized. While this is undersized in regard to the RLG (2020), the proposed ensuite only contains a shower basin that takes up significantly less space than a bath, and therefore the space required is reduced. Moreover, an undersized ensuite is not sufficient grounds to refuse the application. Any window serving a bathroom/ensuite could be conditioned to be obscure glazed to provide privacy.

The resultant garden depth post development would be 11.22m and garden area would be 119.29sqm in accordance with the RLG (2020).

As such the proposed development safeguards the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 (NPPF) (2021).

Neighbouring Amenity

No neighbour representations have been received for this application.

The proposed two storey extensions to the main dwelling would be stepped approximately 3.08m away from No.38 Vigilant Way and will project 3.60m from the existing rear wall. Due to the path of the sun, this would be unlikely to have a detrimental impact on No.38 in terms of light. It is noted that the

proposed first floor plan includes a sight line to show the neighbouring window would not be impacted by loss of light, however this has not been shown on the elevations. As the Local Planning Authority are not minded to permit the application, this has not been investigated further.

The development is not considered to have a detrimental impact on neighbouring privacy. The window at first floor level in the flank elevation of no.1 Sidar Strand serves an ensuite which would be conditioned to be obscure glazed, as would both windows in the front elevation that serve a bathroom and shower room. The window in the porch of no.3 would be screened by the new fence as shown on the proposed block plan.

The size and bulk of the proposed development would have an oppressive effect and therefore cause a sense of enclosure and loss of outlook for some neighbouring properties.

Overall, the proposal represents an unneighbourly form of development and fails to safeguard the amenity of neighbouring properties contrary to Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2021). As such the proposed development fails to overcome reason for refusal 2 for previous application 20220920.

Highways and Parking

The existing garage has been demolished. As indicated by Gravesham's Highways Officer, two parking spaces should be provided for the existing dwelling. These are provided within the proposed double garage with an additional space indicated on the plans. The highways officer has raised concerns with the space immediately in front of the garage which is unacceptable as it does not meet Kent County Council requirements for parallel parking. The Highways Officer also states that the carriage crossover should be widened to ensure ready access to both sides of the garage and in his original comments he observes that the boundary fence blocks full access to the garage. Furthermore, a 2m x 2m pedestrian visibility splay should be provided.

Although 3 parking spaces are shown on the drawings; the parking layout, lack of pedestrian visibility splays, along with the high boundary fence is contrary to SPG 4 - KCC Parking Standards (2006). As such, the proposal fails to fully overcome reason for refusal 6 of previous application 20220920.

Conclusion

Although it is noted that some small improvements have been made to the proposal following refusal for 20220920, the proposed extensions and alterations to the main dwelling would create an incongruous, disproportionate dwelling. The development is considered poor design that fails to respond to the context of the local area. The proposal would have a domineering appearance and cause the site to appear overdeveloped. Furthermore, the extensions and alterations would; disrupt the existing street pattern and the development has not been designed to respond to the existing building line.

Moreover, the proposal fails to safeguard the amenity of neighbouring properties. As such the development is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014), SPG 4 - KCC Parking Standards (2006) and Section 12 of the National Planning Policy Framework (NPPF) (2021).

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

Recommendation

Refusal

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	24 th February 2023	Dated:	28th February 2023

Gravesham Borough Council