



Delegated Report

Full Planning Application

Application No: 20220317

Location: Side Garden of 4 Golf Links Avenue, Gravesend, Kent, DA11 7PA

Description: The demolition of existing garage and proposed erection of a 4 bedroom detached dwelling.

Applicant: Mr Simon Curling, Police And Crime Commissioner For Kent

Site Visit Date: 29 March 2022

Submitted Documents/Plans

The applicant has submitted the following in support of the application:

Application form;
Planning Statement dated March 2022 ref. JAC/DRB/16077;
Drawing no. DHA/16077/01 (Site Location Plan);
Drawing no. DHA/16077/02 (Existing Site Layout Plan);
Drawing no. DHA/16077/03 (Proposed Site Layout Plan);
Drawing no. DHA/16077/04 (Proposed Plans); and
Drawing no. DHA/16077/05 (Proposed Elevations);
(All received 22 March 2022.)

Relevant Planning History

<u>Application No.</u>	<u>Description</u>	<u>Status</u>	<u>Decision</u>
20140300	Application for temporary change of use for a period of 2 years of the existing police house to office accommodation.	Permitted	05.06.2014
20111091	Conversion of residential dwelling to office use for a temporary period of two years.	Permitted	14.02.2012
19490708	Erection of two garages for police houses	Permitted	31.05.1963
19490707	Erection of two police houses with detached garages and an office	Permitted	28.06.1951
19490706	Erection of two police houses with office and garages	Permitted	06.03.1950

Development Plan

Gravesham Local Plan Core Strategy 2014

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Design and Development Principles
- CS20 – Heritage and the Historic Environment

Saved Policies in the Gravesham Local Plan First Review 1994

- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network
- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF 2021 sets out that those 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 the review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan First Review 1994 generally conform with the NPPF 2021, the Council will also seek to replace these saved policies via the emerging Local Plan.

Given Gravesham's current inability to demonstrate a 5 year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF 2021. This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF 2021 at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF 2021, paragraph 181)
- Sites of Special Scientific Interest;
- Green Belt;
- Local Green Space;
- Areas of Outstanding Natural Beauty;
- Irreplaceable habitats;
- Designated heritage assets (and other heritage assets of archaeological interest, see NPPF 2021, footnote 68); and
- 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 121(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.

Other Material Considerations

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 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance (SPG)

- SPG2 – Residential Layout Guidelines (2020)
- SPG4 – KCC Parking Standards (2006)
- Technical Housing Standards – Nationally Described Space Standards (2015)

Consultations, Publicity and Representations

GBC Environmental Protection

A contaminated land watching brief condition and informatives relating to code of practice on construction and demolition, drainage/sewerage, smoke control and electric vehicle charging points are recommended.

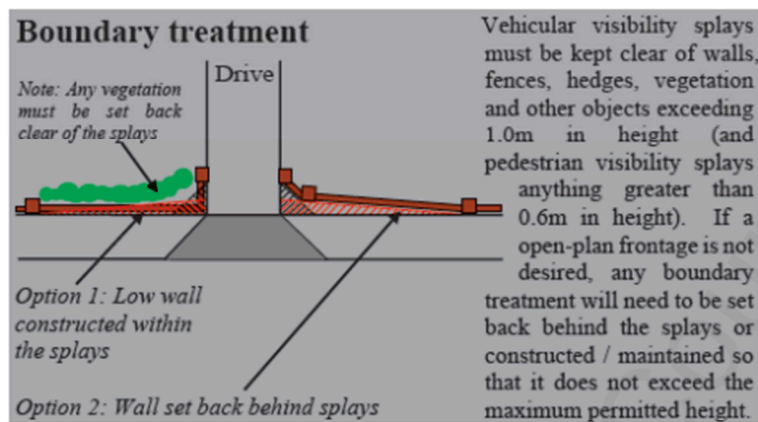
GBC Highways

This proposal requires careful consideration.

1. No. 4 Golf Links has adequate car parking to the front of the garage so the car parking that will be lost as a result of this development is not an issue.
2. The location of the parking for the new property will require some repositioning. Either side of the parking spaces should be 2m (along the edge of the drive measured from the back edge of footway) x 2m (along the back edge of footway from the edge of the drive) pedestrian visibility splays.

Footway visibility

X-dimension 2.0m from back of footway
Y-dimension 2.0m within these splays,



There should be no obstruction to visibility between heights of 0.85m and 2.0m above footway level. If the footway is likely to be used by small children, the height should be reduced to 0.6m. Where all or part of the splay lies across land outside of the applicant's control, a relaxation to this requirement may be considered, taking into account the amount of pedestrian activity along the footway and the width of the footway.

3. In addition to comply with SPG4 secure cycle parking should be provided for 4 cycles (one per bedroom)

With the above alterations (visibility splays and cycle parking) the proposal is acceptable.

KCC Heritage

The site lies within an area of multi-period archaeological potential. However, it is considered unlikely that these proposals would have a significant below-ground archaeological impact and there are no further comments to make in this case.

Natural England

No objection subject to securing appropriate mitigation.

Neighbouring properties

The application has been advertised by individual neighbour letters to 10 properties, and on site. The consultation periods expired on 14 and 22 April 2022 respectively.

No letters of representation have been received from neighbouring properties.

The Local Ward Councillors were also consulted, and no responses were received.

Analysis

Proposal

This application seeks permission for the demolition of the existing garage and the proposed erection of a 4 bedroom detached dwelling.

The proposed dwelling will front onto Golf Links Avenue (to the west) and side onto Orchard Avenue (to the north). Two parking spaces at the end of the garden will be accessed from Orchard Avenue.

The property will be set approximately 4.3m back from the front boundary and approximately 3m in from the side (north) boundary. There will be less space to the southern side of the proposed dwelling (approximately 0.6m). The rear garden will be 16m deep at its shortest point.

The proposed house will have a hall, kitchen/dining/family area, and separate living area, together with a WC and a utility room on the ground floor, and 4 bedrooms (two with ensembles) and a bathroom on the first floor.

The building will have a pitched and hipped roof to the northern side, with a projecting gable at the rear (east) and a full gable on the southern side. There will also be a small projecting square bay on the northern flank. The roof will have concrete tiles, the walls will have grey weatherboarding and cladding and white render. Windows and doors will be grey.

Principle Issues

The main issues to be considered in this application are as follows:

- 1) The acceptability of the principle of the development;
- 2) The impact of the development on the character and appearance of the site and surrounding area;
- 3) The impact of the development on residential amenities; and
- 4) The impact of the development on parking and highway safety.

Principle

At the heart of the NPPF 2021 there is a presumption in favour of sustainable development (paragraph 11), which for decision-taking means that planning permission for applications involving the provision of housing should be granted, unless, in line with the requirements of paragraph 11(d):

- i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In this case, the application site is not protected or of particular importance. It is defined on the Policies Map of the Gravesham Local Plan Core Strategy 2014 as lying within the urban settlement boundary of Gravesend. Policy CS02 of the Core Strategy prioritises development in the urban area as a sustainable location for development. Therefore, the principle of residential development in this area is generally supported.

In light of these considerations, there is no objection to the broad principle of residential development on this site, subject to the proposal being appropriate in terms of other planning issues.

Design and Character and Appearance of Surrounding Area

Section 12 of the NPPF 2021 relates to achieving well-designed places and sets out the Government's requirements in relation to design issues. Paragraph 126 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. 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.

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.

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 119), 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 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 of the Core Strategy 2014 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 4 bedroom detached dwelling in an area of similar sized properties and this would therefore be supported by Policy CS14 of the Core Strategy 2014, providing design and character is also acceptable.

The site lies immediately to the north of No. 4 Golf Links Avenue, which is a detached two storey property located in a residential area made up of a mix of single and two storey detached, semi-detached and terraced houses.



The site is on a corner plot with Golf Links Avenue to the west and Orchard Avenue to the north. The site makes up the side garden of No. 4, and comprises an area of hardstanding and a garage accessed from Golf Links Avenue, with grass and shrubs on and around the site. Such soft landscaping is a common theme to gardens in the area, particularly to the front.



The proposed dwelling has been designed as follows:



Proposed West Elevation

In terms of building heights, the proposed two storey dwelling would be in keeping with the scale of surrounding properties as shown below:

Views towards Nos. 44-50 Orchard Avenue:



View towards Newport, Old Watling Street (to west):



In terms of plot layout, the position of the proposed dwelling will be similar to the existing neighbouring building lines to the front and rear. There will be similar spacing around the property with a decent set back from the front and side (given the proposed dwelling would be on the corner) and a fair size rear garden.

There is no prevailing character in terms of the appearance of the surrounding residential properties; there is a mix of materials present in the area, including render, tile cladding, weatherboarding and brick. The proposed materials will be in keeping with this varied character. The side elevation facing Orchard Avenue, which could be blank, has also been given interest by including different materials, and will be broken up by the projecting bay and first floor window. As specific details of all the materials have not been provided (such as roof tiles), it is recommended that a details of materials condition be imposed to ensure the materials will complement the area.

The front garden will remain soft landscaped with the existing hedge and trees to be retained (plus additional trees and hedgerows to be planted). This would be important given the current green treatment of the existing and surrounding gardens, and therefore a landscaping condition is proposed to ensure this is carried out.

Whilst the proposal will alter the current open appearance of the application site, given the surrounding context and varied character and appearance of the dwellings on Golf Links Avenue, this proposal would not be considered to cause any significant harm to the street scene. The layout, scale and appearance of the proposed dwelling would complement the site and street scene in general.

The proposal is considered to comply with the requirements of Policy CS19 of the Core Strategy 2014, and paragraphs 124, 126 and 130 of the NPPF 2021.

Residential Amenity

The NPPF 2021 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

Future Occupiers

It is considered that the proposal complies with the Technical Housing Standards - Nationally Described Space Standards 2015 in terms of the size of the proposed accommodation, which with a gross internal floor area (GIFA) of approximately 120m², exceeds the highest minimum standard of 106m² for a 2 storey, 4 bedroom, 6 person dwelling.

The proposal also complies with the Council's residential layout guidelines for the proposed garden. For a 4 bedroom house a minimum garden area of 100m² is required, with a minimum depth of 10m. The rear garden area for the new dwelling exceeds 170m².

The depth will be approximately 15.5m minimum. The garden will therefore meet the acceptable standards.

Due to the general pattern of development on the road, there is unlikely to be any adverse impact on the proposed property from overlooking or loss of light.

There is therefore no conflict with the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF 2021 in respect of the standard of amenity and living conditions for future occupants of the proposed dwelling on the site.

Neighbouring Properties

The main neighbouring property likely to be affected by the proposal is No. 4 Golf Links Avenue to the south of the application site. The impact on the properties to the north, east and west would be minimal given the separation distances involved between the existing and proposed properties.

The driveway to the side No. 4, which runs along the southern boundary of the site immediately adjacent the proposed house will provide a separation between the two properties. No. 4 is also at an oblique angle to the application property which lessens any direct impact upon it. The proposed front and rear building lines are similar to No. 4; the proposed property will not project excessively in either direction. Outlook for No. 4 would not be significantly or adversely affected.

Furthermore, there are no windows proposed in the first floor flank elevations facing No. 4, and therefore there will be no direct overlooking of this property, other than what would generally be expected in a built up residential area.

The retained rear garden for No. 4 would also be more than sufficient for the property at approximately 200m².

The proposed residential use of the site will be in keeping with surrounding uses, and there will be little change to the present situation with regard to noise, disturbance, traffic or activity levels.

Overall, it is considered that the design of proposed dwelling would protect the amenities of existing and future occupiers, and the proposal is therefore acceptable and in accordance with the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF 2021.

Parking and Highways

In terms of the loss of the existing garage currently serving No. 4, this property has adequate space for off-street parking to the front of the dwelling and this is not a concern:



There would be 2 parking spaces for the proposed dwelling at the end of the rear garden, accessed from Orchard Avenue. This would meet the maximum standard of 3 spaces per dwelling for a 4 bedroom dwelling, as set out in SPG4. It is therefore considered that there would be no parking impact from the proposal. There have also been no objections in this regard.

In terms of the proposed access for the parking spaces, this is on a road with low levels of traffic, and would not therefore cause any significant highway safety concerns. However, acceptable pedestrian visibility splays would not be able to be provided with the current parking layout; this can be rectified with a condition requiring them to be provided.

There would also be plenty of space for cycles. In order to comply with SPG4 secure cycle parking should be provided for 4 cycles (one per bedroom). This and details of an electric vehicle charging point should be conditioned.

The proposal would therefore comply with Saved Policies T1, T5 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

Other Material Planning Considerations

Housing Need

The proposed development would provide a net increase of 1 dwelling on the site and would offer a small contribution towards meeting local housing need. Accordingly, this weighs in support of the application, particularly where evidence has shown that the Council cannot currently demonstrate a five year housing supply.

However, this has to be balanced against safeguarding and improving the environment and ensuring safe and healthy living conditions, matters which are sought throughout the NPPF

2021, including in particular in paragraphs 119, 124 and 130. In this case, as discussed above, there are no concerns relating to these matters.

Thames Estuary and Marshes Ramsar / Special Protection Area (SPA) – SAMMS Tariff:

As the application site is within 6km of the Thames Estuary and Marshes SPA/Ramsar Sites and would provide additional residential accommodation, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. On this basis a tariff of £275.88 is required (given there is one dwelling proposed on the site).

The applicant has signed a SAMMS Contribution Agreement and has paid the appropriate tariff for the development, which would help put in place adequate measures to mitigate against potential significant adverse effects on the Thames Estuary and Marshes SPA/Ramsar Sites and would meet the requirements of paragraphs 174 and 180 of the NPPF 2021 and Policy CS12 of the Core Strategy 2014.

Archaeology

The site lies within an area of multi-period archaeological potential. However, it is considered unlikely that these proposals would have no significant below-ground archaeological impact. The proposal therefore complies with Policy CS20 of the Core Strategy 2014 and paragraph 197 of the NPPF 2021.

Environmental Protection

The application has a low environmental risk. There is no objection to the proposal providing conditions/informatives be imposed relating to a watching brief, code of practice on construction and demolition, drainage/sewerage, electric vehicle charging points and smoke control. The proposal therefore complies with Policy CS19 of the Core Strategy 2014 and paragraph 185 of the NPPF 2021.

Conclusion and Overall Balancing Exercise

As this application involves the provision of housing and will provide a contribution towards increasing housing numbers in the area, there is a weighted balance in favour of granting planning permission. In this case, having further evaluated the proposal against national and local plan policies, it is considered that the proposed dwelling is acceptable in principle and with regards to the design and impact of the proposal on the application site and the character and appearance of the surrounding area, and with regards to residential amenity and highway matters. The proposal would therefore be in line with the provisions of Policies CS02, CS11, and CS19 of the Core Strategy 2014, saved Policies T1, T5 and P3 of the Local Plan 1994, and paragraphs 11, 111, 124, 126 and 130 of the NPPF 2021.

Recommendation

Approve with conditions.

See draft Decision.

Case Officer: Katherine Parkin	Team Leader: Faye Hobbs
Signed:	Signed:

K. Parkin	
Dated: 17/05/2022	Dated: 17 May 2022

Gravesham Borough Council