



Delegated Report

Planning Application

Application no: 20211358

Location: 6 Carton Road Higham Rochester Kent

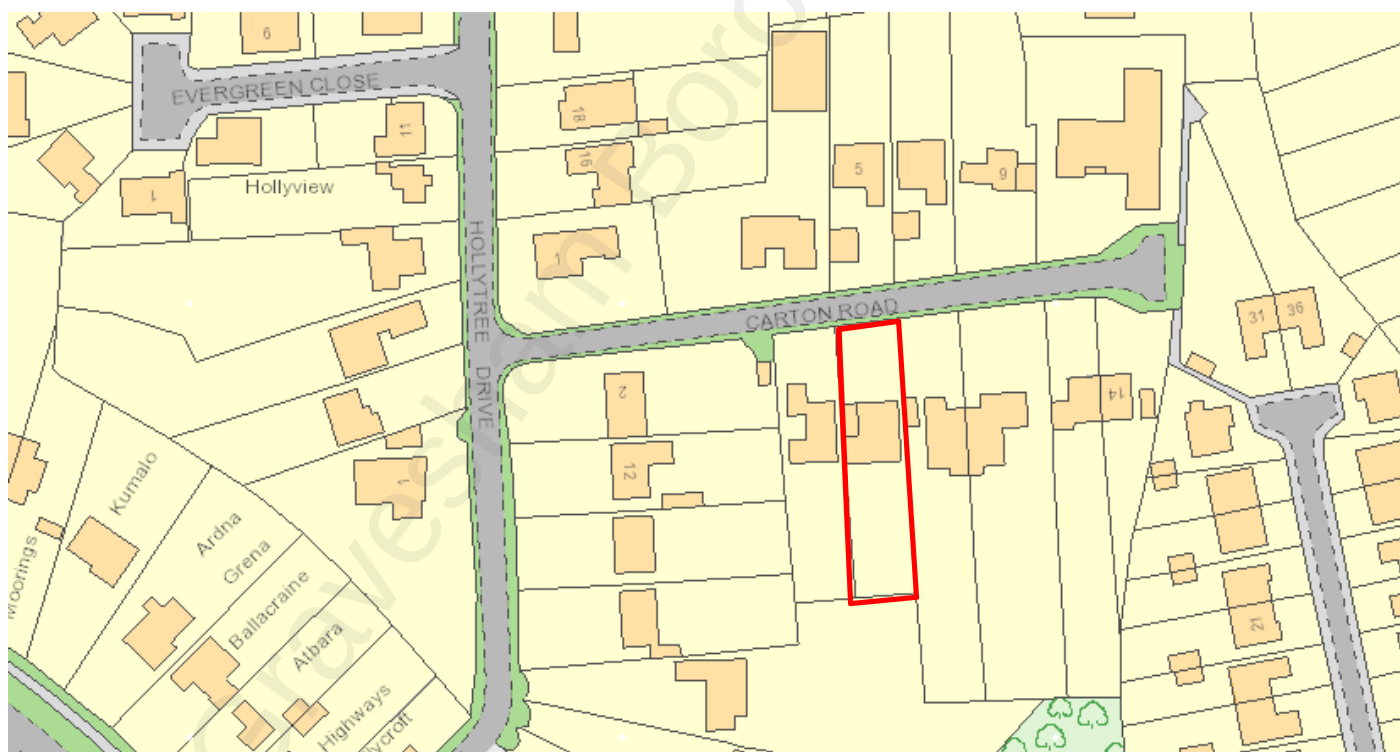
Description: Erection of a detached garage/office to the front of the property.

Applicant: Mr Mandeep Walia

Site Visit Date: 17 December 2021

Site and Surroundings

Number 6 Carton Road (formerly 'Sirdar') Higham is a mid-1950's detached roughly rectangular shaped and extended bungalow on the south side of Carton Road. It is located within Higham village, a rural settlement inset from the Green Belt.



It has a recently renovated hipped grey tiled roof and a rendered and white painted exterior. There is a garage/carport attached to the west side of the dwelling.

The front garden is now mostly block paved for parking and turning apart from a rectangular area of rough ground at the front north east corner of the front garden which is used currently for storing garden waste bins. The vehicle entrance/access to the site is enclosed by double timber gates and the whole of the front garden is enclosed by decorative timber fencing.

Existing front garden of 6 Carton Road Higham - 17 December 2021



Previously the front garden of the property was mostly laid to lawn with a part paved drive and turning area and the frontage was hedged (see below).

Previous front garden of 6 Carton Road Higham - Google Earth view May 2012



Carton Road contains a mixture of house types including bungalows, chalet style bungalows and two storey dwellings. The majority of the properties have driveways and attached garages located to the side, with the exception of two properties located on the opposite side of the road, which are both set back considerably from the frontage and do not breach the building line of the nearest dwellings. There are no other garages located to the front of the dwellings close to the road boundary.

Carton Road is a small cul de sac off Hollytree Drive. There is no street lighting and there are grass verges rather than pedestrian footways.

Planning History

The following table shows the planning history of the property in chronological order.

Planning Applications

Ref No	Description and Site	Decision	Date
19550239 (TH/6/55/206)	Erection of a bungalow	Permission	07.09.1955
General File	Garage	Building Regulation Approval	09.07.1956
TH/6/68/160	Erection of extension to living room	Permission	01.08.1968
TH/6/71/302	Carport consisting of transparent roof only	Permission	16.09.1971
5112	Erection of kitchen extension	Building Regulation Approval	25.06.1973
20210537	Retention of front boundary fence and gates.	Permission	24.06.2021

Pre-Application Enquiries

Front garage with office space

Proposal

This application is for erection of a detached garage/office to the front of the property.

Submitted Drawings and Documents

Planning Application Form and Certificates;
Drawing No 6CR/A3/01: Site Map, Proposed Front & Rear Elevation and Floor Plan;
Drawing No 6CR/A3/02: Existing Front Drive Plan and Side/Front Elevations;
Drawing No 6CR/A3/03: Existing & Proposed Block Plans;
Drawing No 6CR/A3/04: Proposed Front Drive Plan and Side Elevations;

Details of the Development

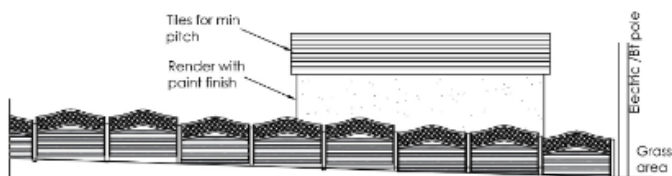
The proposed garage is 6.4m by 5.4m externally with a shallow pitch roof (15°) to a height to the ridge of 3.3m.

The garage would be constructed of part red facing bricks (one wall - west elevation where garage door is proposed) and part rendered and painted walls on the other three walls and with a tiled roof. There is one garage door providing a parking space for one vehicle and with the remainder stated to be an office but with no indication of what type of office. There would be a pedestrian door and window in the rear (south) elevation facing towards the front of the house.

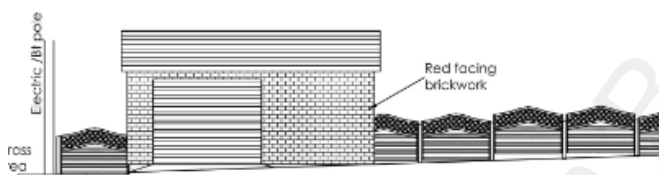
The garage would be located 1.3 to 1.5m from the highway verge in Carton Road and behind a recently erected front boundary fence which is 1.2m high. The area between the fence and proposed garage is shown as being a hardstanding area for a bin store. The proposed garage would remove a soft landscaped area within the front garden.



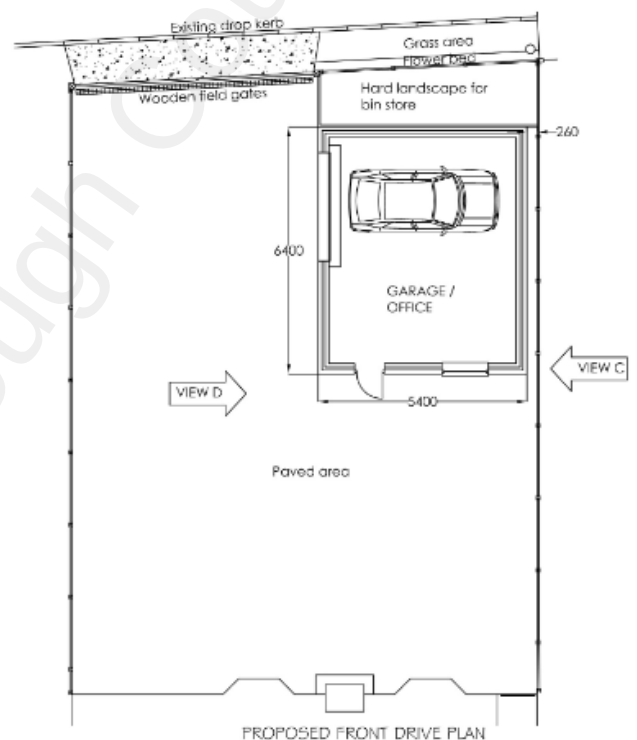
PROPOSED FRONT BLOCK PLAN



PROPOSED VIEW C



PROPOSED VIEW D



PROPOSED FRONT DRIVE PLAN



FRONT ELEVATION

In support of the application the applicant points out that:

- Surrounding properties have existing larger garages in front of them;
- The proposed office/ garage will be smaller;
- It will be energy efficient;
- It would not encroach on anyone else's property; entrance is on to the applicants drive so there is no chance of driving into any vehicle on the road;
- It will have a roof pitch of 15 degrees which will not hide the property, unlike the garages opposite;

- The property is a three bedroom bungalow and currently using one of the bedrooms as a home office;
- The applicants both are professionals and working from home is an integral part of their employment;

Development Plan and other Relevant Planning Policies and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.¹

Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

The Development Plan for Gravesham therefore now comprises: -

- *The Gravesham Local Plan Core Strategy and Policies Map (September 2014)*
- *Remaining Saved Policies of the Local Plan First Review (1994)*
- *The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)*

There are a number of other planning policy documents which are of some relevance to the consideration of planning applications and are material considerations, including national planning advice and guidance in the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), and supplementary planning guidance, and, where they exist, neighbourhood plans. There are currently no adopted neighbourhood plans.

Previous decisions on planning applications and appeals relating to the site and relevant case law etc. are also capable of being material considerations.

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

The site is shown as being within a **rural settlement** inset from the Green Belt (Policy CS02) in the Gravesham Local Plan Policies Map.

The most relevant policies from the adopted Core Strategy are as follows:

Core Strategy Policy CS01: Sustainable Development
 Core Strategy Policy CS02: Scale and Distribution of Development
 Core Strategy Policy CS11: Transport
 Core Strategy Policy CS12: Green Infrastructure
 Core Strategy Policy CS18: Climate Change
 Core Strategy Policy CS19: Development and Design Principles

Policy CS01 (Sustainable Development) sets out that support will be given to proposals that accord with the development plan. A positive approach to new development will be taken that reflects the presumption in favour of sustainable development set out in the NPPF and the Local Plan Core Strategy.

¹ See the Judgement in the Court of Appeal on R(on the application of William Corbett) and The Cornwall Council and others [2020] EWCA Civ 508 at <https://www.bailii.org/ew/cases/EWCA/Civ/2020/508.pdf>

Policy CS02 (Scale and Distribution of Development) prioritises development in the urban area by promoting regeneration by the redevelopment and recycling of underused, derelict and previously developed land, revitalising Gravesend Town Centre and bringing forward a range of suitable sites for residential and employment development.

Paragraph 4.2.27 indicates that in the rural area, development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map.

Policy CS11 (Transport) sets out that new developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel. Sufficient parking in new development will be provided in accordance with adopted parking standards reflecting the availability of alternative means of transport and accessibility to services and facilities.

Policy CS12 (Green Infrastructure) indicates that all green spaces contribute to the green infrastructure network and that the multifunctional network of green spaces will be created, protected, enhanced and maintained. It requires that there should be no net loss of biodiversity in the Borough and gives protection amongst other things to internationally designated sites. It sets out that the overall landscape character and valued landscapes within the borough will be conserved and enhanced, with greatest weight being accorded the Kent Downs AONB. In other areas, the Gravesham Landscape Character Assessment and any relevant Cluster Study should be taken into account.

Policy CS18 (Climate Change) seeks to ensure that Water Framework Directive objectives are secured and that the impact of development on waste water drainage systems is minimised. Surface water run-off from all new development should, as a minimum, have no greater adverse impact than the existing use. It requires the use of Sustainable Drainage Systems where technically and financially feasible. It requires the water efficiency measures to be installed to achieve the equivalent of level 3/4 of the Code for Sustainable Homes (105 litres per person per day)²

Policy CS19 (Development and Design Principles) sets out detailed criteria against which the acceptability or otherwise of proposed development will be evaluated. In particular, it requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. 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 and to the character of the area.

It requires account to be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings and of the wider context including features of townscape and landscape value, which contribute to local character and sense of place.

It requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and avoid adverse environmental impacts from pollution. New residential development is required to accord with the adopted Residential Layout Guidelines and will be required to provide appropriate levels of private and public amenity space.

Proposals should include details of appropriate hard and soft landscaping, protect and where opportunities arise enhance biodiversity and provide appropriate facilities for the storage and disposal of waste.

Gravesham Local Plan First Review (1994)

The Gravesham Local Plan First Review was originally adopted in November 1994.

A substantial number of policies of the Gravesham Local Plan First Review were saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 as transitional arrangements pending adoption of the Core Strategy.

² Now equivalent to 110 litres per person per day as required by National Standard – see GBC Housing Standards Policy Statement (2015) at http://www.gravesham.gov.uk/__data/assets/pdf_file/0016/201625/Housing-Standards-Policy-Statement.pdf

Saved policies contained in the Gravesham Local Plan First Review should still be accorded significant weight, albeit that the weight accorded should be greater where policies are consistent with the National Planning Policy Framework (NPPF, paragraph 219).

Those Local Plan First Review policies that remain in force are listed in Appendix 1 of the Local Plan Core Strategy. The remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document.

The following remaining saved policies are relevant to the consideration of this application:

Policy T1: Impact of Development on the Highway Network

Policy T4: Development outside the Built-Up Area

Policy T5: New Accesses onto Highway Network

Policy P3: Policy for Vehicle Parking Standards

Saved Policy T1 requires all development to be served by the highway network identified on the Proposals Map.

Saved Policy T4 indicates that proposal that generate significant vehicular or pedestrian traffic outside of built up areas will not be permitted.

Saved Policy T5 requires that the formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities.

Saved Policy P3 (Policy for Vehicle Parking Standards) indicates that development will be expected to make provision for vehicle parking in accordance with the KCC Vehicle Parking Standards as interpreted by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site.

Review of Local Plan

Paragraph 33 of the NPPF (2021) sets out 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 1st Review (1994) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020

The Council published in 2020 a Regulation 18 (stage 2) consultation on its proposed Development Management Policies Document, replacing the 2018 Stage 1 version, which will in due course form part of and update the Gravesham Local Plan. Under paragraph 48 of the NPPF, policies in this document may be accorded weight in the decision making process with this varying according to its stage of preparation; the extent to which there are unresolved objections; and the degree of consistency of policy with those in the Framework. As the Development Management Policies Document is at an early stage and the fact that the consultation has only recently concluded, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant policies reflect those set out in the Framework and for the purposes of this pre-application these should be relied on instead.

The following draft policies from the Regulation 18 (Stage 2) Development Management Policies Document (2020) show the direction of travel the Council is going albeit the weight that these emerging policies may be accorded at this stage is very limited.

Proposed Policy INF 2: Transport Design Principles;

Proposed Policy INF 3: Understanding and Mitigating Transport Impacts;
Proposed Policy GI 4: Trees, Hedgerows and Woodlands;
Proposed Policy GI 5: Landscape Character;
Proposed Policy GI 6: Biodiversity;
Proposed Policy RES 4: Domestic Extensions, Outbuildings and Other Development;
Proposed Policy AM 4: Sunlight and Daylight within New Development;

Proposed Policy RES 4: Domestic Extensions, Outbuildings and Other Development states:

9.4.7. All domestic extensions, additions and alterations should be well designed and located and respect the scale, form, proportions, character and appearance of the main dwelling and the character of the locality. Particular attention should be paid to:

- The roof form and roofline;
- Window detail;
- Architectural features;
- Boundary treatments; and
- Materials.

9.4.8. Any such development should not have an unacceptable adverse impact on the occupiers of neighbouring properties due to loss of sunlight and daylight or overlooking. Where the potential for an unacceptable adverse impact due to loss of sunlight or daylight exists, an application should be accompanied by a formal assessment undertaken in accordance with policy AM4.

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) July 2021 is a material consideration.

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11) which means approving development proposals that accord with the development plan without delay and where there are no relevant development plan policies or where the policies are out of date planning permission should be granted unless policies of the Framework provide a clear reason for refusing the development such as where land is designated as Green Belt or any adverse impacts would so significantly and demonstrably outweigh the benefits or specific policies in the NPPF taken as a whole.

The NPPF includes (in paragraph 8) three overarching objectives to achieving sustainable development:

- an economic objective;
- a social objective; and
- an environmental objective.

The following paragraphs are specifically highlighted as being of importance to the consideration of the application proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered. Reference to the national planning guidance is also considered in the analysis section of this report.

Section 2, Paragraphs 7 - 14: Achieving Sustainable Development

Section 4, Paragraphs 38 - 59: Decision Making

Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport

Section 12, Paragraphs 126 - 136: Achieving well-designed places

Section 14, Paragraphs 152 - 173: Meeting the Challenge of Climate Change, Flooding and Coastal Change

Section 15, Paragraphs 174 - 188: Conserving and Enhancing the Natural Environment

Section 12, Paragraphs 126 - 136: Achieving well-designed places

Paragraph 126 advises that 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 indicates that, amongst other things, planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change

The National Planning Practice Guidance (NPPG)

Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/>) supports and clarifies areas in the NPPF.

It contains guidance on assessing housing need; design; public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things

The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95). It outlines the six tests.

Supplementary Planning Guidance and other Documents

The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.

In addition, the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

The following documents are relevant to the consideration of this application:

- Kent County Council Supplementary Planning Guidance SPG1: Landscape Character (adopted July 2006);
- Adopted Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006);
- GBC Residential layout guidelines including Housing Standards Policy Statement October 2015, (SPG2) Adopted February 1996 - amended June 2020;
- Householder Extensions/Alterations Design Guide SPD, adopted 01 October 2021;
- Gravesham Landscape Character Assessment, May 2009 (a technical document which underpins policy CS12 of the Gravesham Local Plan Core Strategy);

Gravesham Landscape Character Assessment, May 2009

The application site lies within the Higham Arable Farmlands Landscape Character Area in the Gravesham Landscape Character Assessment where the key characteristics are:

Very gently undulating topography extensive views across open arable land from within the character area and views out of the character area, towards the marshes and the River Thames in the north, good soils, pockets of orchards and garden nurseries, a regular pattern of medium to large fields throughout the area, with some smaller paddocks.

The gentle topography and good soils, combined with the relative proximity to London and the River Thames means there has historically been a rich agricultural landscape. As a consequence there is little tree cover, allowing extensive views across an arable landscape

Higham and Lower Higham are the main settlements in the area. Higham has developed as two parts, with the original Saxon village of Lower Higham to the north and a more recent development to the south around the main road linking Gravesend to Rochester.

Its condition is described as poor and it is stated:

Isolated properties and farmsteads provide local distinctiveness, in contrast with more recent development within Higham and Lower Higham. There is a modified cultural integrity and the overall, functional unity is weak.

The sensitivity of the landscape is also described as moderate and it is stated:

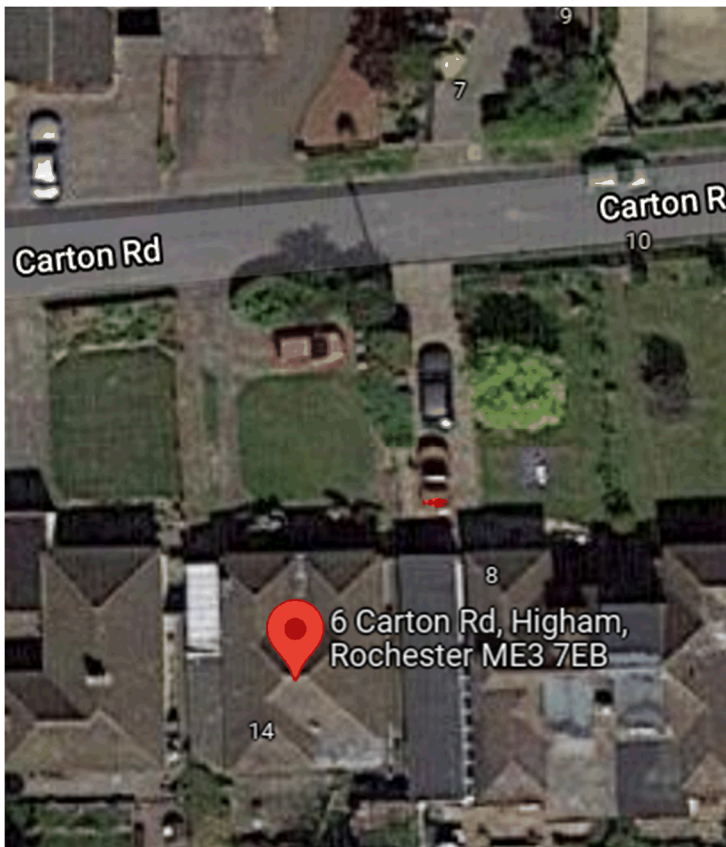
Much of the modern landscape comprises gappy hedgerows, limited woodland and indistinct recent buildings and, on average, features and elements within the landscape are indistinct and the sense of place is weak. The open character of the landscape and gently undulating landform provide high visibility across the character area.

Consultations, Publicity and Representations

Consultations - Internal

GBC Highways Development Management Officer

This application requires very careful consideration as whilst not conforming necessarily exactly to current requirements, there is/was a pre-existing situation.



Although the google images appear to be at odds with the application, as it demonstrates there is/was a parking space parallel to the road, rather than a soft landscaped area.

To be acceptable in highway terms, no part of the new garage should be within 2.4 metres of the highway to protect vehicular visibility splays and nothing over 1 metre in height should be between the building and the highway. This will require a slight repositioning of the garage or reduction in size and a relocation of the bin store. This would be a considerable improvement on the existing situation.

It is noted that it is proposed to install gates and whilst this is generally disliked in highway terms unless set back from the highway edge a sufficient distance to accommodate any arriving or leaving vehicle plus an allowance for pedestrian access to the gate. Given the property is in a small cul-de-sac where the road is of reasonable width having the proposed arrangement should not result in any significant problems. It is however noted there may be conflict with the gates and the garage door and this should be resolved by the

use of asymmetrical gates or repositioning the garage. (Possibly within the proposed structure by interchanging the garage and office location).

Cabling to support a future electric vehicle charging point should be installed as part of any development.

With suitable modifications there will be no objection to the proposal.

Ward Councillors

No comments received

Consultations - External

Higham Parish Council

No comments received

Publicity and Representations

Neighbour notification was sent to 6 adjoining dwellings and a site notice was displayed on site (under Article 15).

The expiry date for the receipt of any comments was 24 November 2021

A total of 6 neighbour objections have been received, including two from the same objector.

The various comments are summarised as follows:

- Contrary to Covenants and Building Lines
 - Breach of covenants preventing erection of any buildings in the front gardens within 20ft of the road;
 - Exceed building lines on the road;
- Impact on Character and Appearance of the Area
 - The property already has a garage/car port facility attached to the main building;
 - Contrary to the Council's SPG2 planning guide itself that states that new extensions should not be forward of the existing dwelling;
 - Such a large overbearing building will most certainly detract from the attractiveness of the street scene, and would not be at all sympathetic to the surroundings;
 - It will be intrusive and not at all in keeping with the streetscape;
 - The large bare wall facing the road will look most obtrusive and unsightly, detracting greatly from the pleasant appearance and character of this residential cul de sac;
 - There are no buildings right up to the perimeter of the properties on this road - or the surrounding roads; this makes for a pleasant view up and down the road with trees and bushes visible in both directions.
 - This would set a very damaging precedent; if this building is allowed to be constructed then it could well transpire that every property on the road could be permitted to build right at the perimeter of their property and the nature of the road would be damaged irrevocably;
 - The front garden is already out of character as it has been completely hard paved;
- Obstruction of Views and Impact on Amenity
 - This building would obstruct views up and down the road and make the road much less pleasing on the eye;
- Impact on Highway and Pedestrian Safety

- It will restrict sight lines for other drivers exiting their driveways;
- It is possible that there could be accidents involving adults, children, animals or indeed other cars;
- The view from the adjacent property, No. 8, would be similarly obstructed to the left, with similar potential risks.

Planning Analysis and Assessment

This application has been submitted notwithstanding that pre-application advice was sought by the applicants earlier in 2021 which concluded:

Overall it is considered that the proposed garage would result in a dominant structure that would overshadow the host property and be out of character with the open frontages of the surrounding properties, having a detrimental impact on the visual amenity of the streetscene. In addition, the garage would obscure any views of oncoming traffic from the west when the occupiers of No. 8 exit their driveway and as such would result in a detrimental impact on highway safety. As such, it would be contrary to Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021).

Despite this, the planning application still needs to be determined on its individual planning merits having regard to the development plan and all material planning considerations.

The Key Issues

The key issues therefore in the consideration of this planning application are:

- Principle of the Development;
- Design and Siting and Impact on the character and appearance of the area;
- Environmental, Neighbour or Amenity Impacts;
- Traffic Generation, Highway Safety, Access and Parking;
- Other Material Planning Considerations;

Principle of the Development

Policy CS01 (Sustainable Development) indicates that when considering development proposals, the Borough Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in the Core Strategy.

The application site is situated in a rural settlement inset from the Green Belt. Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy 2014 indicates that the strategy prioritises development in the urban area as a sustainable location for development. Paragraph 4.2.27 indicates that in the rural area, development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map.

There are therefore no policy objections to the principle of development on this site per se subject to the proposal complying with the relevant policies relating to design, character, amenity, highway impacts, landscape, biodiversity and any other material planning considerations.

Design, Character and Visual Impact

General Policy Issues

Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) states that the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. The

National Planning Policy Framework (NPPF) sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

It also states that permission should be refused for development for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Evaluation and Assessment

The Council's Householder Extensions/Alterations Design Guide SPD, October 2021 states in relation to garages:

10.17 Detached garages should reflect the design, materials, character and style of the existing property. Garages should not be located in a position which would detract from the attractiveness of the street scene. Usually garages should be positioned to the side of a dwelling.

10.18 In order to properly function as car parking, garages should provide clear internal dimension of 5.5m (length) x 3.6m (width) for one car and 5.5m by 6m width for 2 cars.

As indicated earlier in this report the applicants sought pre-application advice for the proposal as now submitted and the advice offered did indicate that the garage sited in this location would be out of character with the open frontages of the surrounding properties, having a detrimental impact on the visual amenity of the streetscene.

The siting and size of the garage have remained the same in this formal planning submission with the only change being a slight reduction in the height by circa 0.5m (from 3.85m to 3.4m), although it is noted that the rear elevation in the submitted drawings is not consistent with the other elevation drawings and shows to still be at a height of 3.85m.

Whilst the design of the garage/office building is acceptable as a design per se, the siting and impact on the street scene in this case is a fundamental concern.

The properties on the south side of Carton Road including the application site have a much more open aspect visually than those opposite (see photograph below).

View of Carton Road looking eastwards



There is a lack of any built development or any high hedging enclosing the front gardens to dwellings on the

south side of Carton Road.

There is a garage that sits forward in the street scene in the rear garden of No 2 Carton Road (on the corner of, and that has its main frontage to, Hollytree Drive) but this is still some 5m back from the highway.

View of Carton Road looking westwards



There are, it is acknowledged, garages in front of the properties opposite the application site at Nos 5 and 7 Carton Road but they are significantly set back in the street scene, as shown in the photograph below. The garage at 5 Carton Road is more imposing but its siting is consistent with the main front wall of the adjoining dwelling to the west at 3 Carton Road.

The detached garage at no 7 Carton Road is well screened by boundary walling and hedging.

Photographs below show the joint and individual views of the appearance of these garages in the street scene.

Front Garages at 5 and 7 Carton Road



Front Garage - 5 Carton Road



Front Garage - 7 Carton Road



There have been a number of adverse neighbour concerns and objections to the development. The main concern is to the visual impact on the character and appearance of the area, the street scene and the

proximity of the proposed building to the road commenting that it would be large and intrusive.

There are neighbour comments relating to the development being a breach of covenants but that is not a material planning consideration. Similarly there are comments relating to the development being forward of building lines. In this case there are no prescribed building lines as such.

While all planning applications have to be considered and judged on their own individual merits reference is made to a Borough Council decision on a planning application (ref 20180878) elsewhere in the Borough for a two bay garage to be located within the front garden of a property at Downend, Norwood Lane Meopham a similar village inset from the Green Belt that was refused on grounds that it would result in an increase in the built up appearance of the area and that the development would appear prominent and visually intrusive in the streetscene, detrimental to its open character and in addition would adversely impact and fail to preserve the setting of the nearby Grade II listed Building, which is within the Hook Green conservation area. The proposed garage had a width of 5.75m and a depth of 4.9m and an external height of the ridge of 3.2m. A subsequent appeal was dismissed (Appeal Ref: APP/K2230/D/19/3230743), the Inspector commenting:

The proposed development would introduce built form close to the front boundary which is an uncommon feature along Norwood Lane. Although landscaping is proposed to the front boundary, this would not be likely to screen the proposal satisfactorily, including from views from the east, due to the limited space available for it within the appeal site, and as such I do not consider that a condition requiring landscaping would be effective. Moreover, any existing retained planting cannot be relied upon in the long term as evidenced by fact that the mature trees outside Elmo, in situ at the time of the application, are no longer present, allowing clear views from the west. As such the proposal would be a prominent and visually intrusive development in the street scene which would erode the otherwise open and spacious character of the area.

While there has been some slight reduction in the height of the building and acknowledging that there are some local examples of garages in the front gardens of the properties including opposite the application site, the overall assessment on the visual impact of the development is that the proposed garage/office building in this location set so far forward and only circa 1.3m from the frontage of the site would be a dominant structure and would be out of character with the open frontages of the surrounding properties, having a detrimental impact on the visual amenity of the streetscene contrary to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles), September 2014 and supplementary planning guidance in the Householder Extensions/Alterations Design Guide SPD, adopted 01 October 2021.

Environmental, Neighbour or Amenity Impacts

In considering any proposals for development it is important to ensure that it does not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. Policies seeking to protect amenity and ensure acceptable future living conditions are included in the Local Plan Core Strategy. Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land.

The NPPF (paragraph 130) 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”.

Given the separation distance between properties (the proposed garage will be circa 9m from the front of the adjoining property to the east at no 8 Carton Road) and the relatively modest scale of the proposal, it is considered that the proposed garage/office building would not materially affect the neighbouring properties in terms of loss of light, privacy, and outlook and increased overshadowing.

There may be some diminishing of views of the street for the adjoining property at 8 Carton Road although interference to (or loss of) view is not necessarily a material planning consideration.

The proposed garage would be set sufficiently away from the front habitable room window of the applicants own dwelling and as such would not result in a material detrimental impact on the current or future

occupiers of the property and would be in accordance with Policy CS19 of the Core Strategy and paragraph 130 of the NPPF (2021).

Highways, Access and Parking Issues

At a local level Gravesham Local Plan Core Strategy Policy CS11 (Transport) states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards, which will reflect the availability of alternative means of transport accessibility to services and facilities.

This approach to development is also supported by saved policies in the Gravesham Local Plan First Review Policy T1 (Impact of Development on the Highway Network), Policy T5 (New Accesses onto the Highway Network) and Policy P3 (Policy for Vehicle Parking Standards) and in supplementary guidance in the adopted KCC vehicle parking standards (SPG4) and Planning Policy for vehicular accesses to classified highways (SPG 6, November 1992).

At the pre-application stage it was pointed out to the applicants that the siting of the garage would obscure any views of oncoming traffic from the west when the occupiers of No. 8 exit their driveway and as such would result in a detrimental impact on highway safety.

The siting has not been amended to address this concern.

The Council's Highways Development Management Officer who was consulted on the planning application has commented that to be acceptable in highway terms, no part of the new garage should be within 2.4 metres of the highway to protect vehicular visibility splays and nothing over 1 metre in height should be between the building and the highway, which will require a slight repositioning of the garage or reduction in size and a relocation of the bin store.

He has also commented that there may be conflict between the existing gates and the proposed garage door.

It is also noted that the proposed garage will only have an internal dimension of 4.8m in depth. This is below the recommended internal dimensions as set out in the KCC vehicle parking standards (SPG 4 published in 2003 and adopted in 2006) for garages. See extract from the document below:

Garages

B2. Experience has shown that garages provided for individual residential dwellings are unlikely to be used for the parking of a vehicle unless sufficient space is also incorporated within the garage for storage. This may have less relevance for garages that are provided as a communal facility for residential accommodation. However, the needs of the mobility impaired, either as a driver or as a passenger, should also be considered in the design of garages and sufficient space should also be allowed to enable a garage to be used as a secure location for any cycle parking provision.

Taking these factors into account the preferred internal dimensions of a garage that should be considered for residential developments in Kent are:

Preferred Garage Size for Single Car	5.5m (length) x 3.6m (width)
Preferred Garage Size for Two Cars	5.5m (length) x 6.0m (width)

Where it can be demonstrated that cycle parking is provided elsewhere width of garage can be reduced.

This might mean that the garage is not used as such for vehicle parking.

Conversely sufficient parking is already available on the site in accordance with the adopted KCC vehicle parking standards as there are two parking spaces already within the front forecourt and a garage at the side albeit that this may be substandard in size.

In terms therefore of the impact on highway safety, with the garage being located close to the front boundary and directly adjacent to the driveway for No. 8, this would result in obscured views and lack of vision splays for the occupiers of No. 8 when exiting their driveway. Due to the lack of footpath along Carton Road, this would result in a highway safety risk.

Whilst it is acknowledged that Carton Road is a minor residential road that is not classified and leads to a dead end at the east with any traffic most likely moving at slow speeds, it is also very narrow and therefore any vehicles travelling down the road would have little room for manoeuvre if a vehicle suddenly exited No. 8.

Therefore currently as it stands the development would be contrary to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy Policy 2014, saved Policy P3 from the Gravesham Local Plan First Review (1994) and Kent County Councils adopted KCC vehicle parking standards 'SPG 4' (2006) and in respect of highway safety and parking provision.

Other Material Planning Considerations

Impact on Landscape Character

The application site is located within the Higham Arable Farmlands Landscape Character Area. This area is characterised by very gently undulating topography, open arable farmland, views out to the Marshes and the River Thames in the north. It is an original Saxon village of Lower Higham and more recent development to the south, Marsh side hamlets and settlements, isolated farmsteads and scattered properties with locally distinct styles and materials, pockets of orchards and garden nurseries, historic sites including a Priory and Gad's Hill, once home to Charles Dickens and Thames and Medway Canal (disused) runs to Lower Higham.

Policy CS12 of the Gravesham Local Plan Core Strategy Policy seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

The development is within the residential curtilage of the dwelling and by virtue of its location, scale, design and location, it is considered that the development would not have any materially detrimental impact on the wider landscape character.

Conclusions and Balancing Exercise

It is acknowledged that in some residential properties the provision of separate detached garaging in front gardens can be appropriate if it can be successfully designed and sited such as not to cause material harm to the character and appearance of the locality and the immediate street scene.

In this case the development has been carefully considered and assessed taking into account the development plan and all material planning considerations and noting the extent and content of public representations.

Overall it is considered that the proposed garage would result in a dominant structure that would be out of character with the open frontages of the surrounding properties, having a detrimental impact on the visual amenity of the streetscene.

As such, it would be contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and Section 12 of the National Planning Policy Framework (NPPF) 2021 and supplementary planning guidance in the Householder Extensions/Alterations Design Guide SPD, adopted 01 October 2021.

In addition, the garage would obscure any views of oncoming traffic from the west when the occupiers of No. 8 exit their driveway and as such would result in a detrimental impact on highway safety.

The development would be contrary to Policy CS11 (Transport) of the 2014, saved Policy P3 from the Gravesham Local Plan First Review (1994) and the adopted KCC vehicle parking standards 'SPG 4' (2006) in respect of highway safety and parking provision.

Recommendation:

REFUSED on the grounds that

1. The proposed garage/office building in this location set so far forward and only circa 1.3m from the frontage of the site would be an overbearing and visually dominant structure and would be out of character with the open frontages of the surrounding properties, having a detrimental impact on the visual amenity of the streetscene contrary to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles), September 2014, Section 12 of the National Planning Policy Framework (NPPF) 2021 and supplementary planning guidance in the Householder Extensions/Alterations Design Guide SPD, adopted 01 October 2021.

2. The proposed garage/office building in this location close to the front boundary and directly adjacent to the driveway for No. 8, would result in obscured views and lack of visibility for the occupiers of No. 8 when exiting their driveway. Due to the lack of footpath along Carton Road, this would result in a highway safety risk. Therefore the development would be contrary to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy Policy 2014, saved Policy P3 (Parking) from the Gravesham Local Plan First Review (1994) and the adopted KCC vehicle parking standards 'SPG 4' (2006).

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt, the decision to refuse this application was taken in relation to the following forms, plans and documents

Planning Application Form and Certificates;

Drawing No 6CR/A3/01: Site Map, Proposed Front & Rear Elevation and Floor Plan;

Drawing No 6CR/A3/02: Existing Front Drive Plan and Side/Front Elevations;

Drawing No 6CR/A3/03: Existing & Proposed Block Plans;

Drawing No 6CR/A3/04: Proposed Front Drive Plan and Side Elevations;

2 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

In this instance, the application is not in accordance with the Development Plan for the area and cannot be supported.

Case Officer:	Mr Peter Price	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	21 st December 2021	Dated:	22 nd December 2021

File Location: H: Plan/Typing/General/Peter/Delegated Reports/Uniform - 20211358 - Delegated Report - 6 Carton Road Higham - detached garage and office at front