



Delegated Report

Householder Planning Application

Planning Application No: 20240507

Location: 71 Lamorna Avenue Gravesend Kent DA12 5PS

Description: Erection of single storey side and rear extension to facilitate the formation of a residential annexe; Replacement of pitched roof with flat roof on existing rear extension; Erection of hip to gable roof enlargement and dormer in the rear roof slope; Installation of 3 no. roof lights in the front roof slope; and conversion of existing and proposed loft space into habitable rooms.

Applicant: Mrs K Jarrett

Site Visit Date: 24 July 2024

Submitted Documents/Plans

Householder Application for Planning Permission form;
Drawing no. 2024/11/01 Existing block and site plans;
Drawing no. 2024/11/02 Existing layouts;
Drawing no. 2024/11/03 Existing elevations;
Drawing no. 2024/11/04 Proposed block and site plans;
Drawing no. 2024/11/05 Proposed layouts;
Drawing no. 2024/11/06 Proposed elevations;
Letter from the agent dated 31 May 2024; and
Email from the agent received 12 June 2024.

Relevant Planning History

Reference	Description	Decision	Decision Date
20120130	Outline application for the erection of a detached bungalow in rear garden.	Refused	20.08.2012
	Appeal ref. AP 2012/00039/REF	Dismissed	28.02.2013

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
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving well-designed and beautiful places

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – nationally described space standard (2015)
- SPG 4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)

Other Relevant Guidance

- KCC Residential Dropped Kerb Guidance and Self-Assessment document (2023)
- Driveway Dropped Kerb Guidance
- Front Driveway Guidance

Consultations, Publicity and Representations

Southern Water

Protection of Public Apparatus:

It appears that the developer is intending to build-over-to a public foul sewer which is crossing the site. Building over a “public sewer” is not normally permitted by Southern Water. An investigation of the sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building-over-to the sewer.

The length of sewer to be built over under the terms of Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker, which in this case is Southern Water. The conditions and application associated with the build-over-to a public sewer are available at Southern Water's Get Connected service: developerservices.southernwater.co.uk.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; prior to the commencement of development, the developer must advise the local authority, in consultation with Southern Water, of measures which will be undertaken

to protect the public sewers.

Foul and Surface Water Drainage:

Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here: gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Neighbouring properties

The application was publicised by a site notice and to six neighbouring properties by letter. No representations have been received.

Officer's Analysis

Principle of a Residential Annexe

The site is defined on the Policies Map of the Gravesham Local Plan Core Strategy (2014) as lying within the urban area. Policy CS02 of the Core Strategy prioritises development in the urban area as a sustainable location for development. As such, there is no objection to the broad principle of extending/altering the application property subject to the proposed development meeting the detailed requirements of the national and local development plan policy framework.

There is no specific local or national planning policy that directly relates to the provision of residential annexes. However, there is an emerging policy in the Regulation 18 (Stage 2) Development Management Policies Document (2020), Policy RES 3 which illustrates the Borough Council's proposed approach to such proposals and these emerging policies may be accorded some limited weight.

Proposed Policy RES 3 reads as follows;

Proposed Policy RES 3: Residential Annexes

- 9.3.8. Planning permission will only be granted for residential annexes within the curtilage of an existing residential property where there is a proven need that cannot be met either within the existing property through adaptation or acceptable extension and:
- there is a functional link with the principal dwelling (i.e. the occupants should be a dependant relative/s);
 - both the annexe and principal dwelling are in the same ownership and remain so in perpetuity;
 - the accommodation forms a linked extension to the main dwelling and is capable of being used as an integral part of the dwelling, or forms a separate outbuilding which is in close proximity to and within the curtilage of the principal dwelling, and shares some essential facilities with the main dwelling; and
 - the scale of the annexe is subordinate to the existing dwelling and is the minimum level of accommodation required to support the needs of the intended occupant/s; and
 - there is adequate parking and amenity facilities (areas for bin storage, drying clothes, garden space etc.) for the needs of the annexe occupants and existing residents; and
 - there is no boundary demarcation or subdivision of garden areas between the curtilage annexe and principal dwelling;
- 9.3.9. Where planning permission is granted for a residential annexe, a planning obligation will be imposed to ensure that the annexe retains a functional link with the main dwelling (i.e. the occupants should be a dependant relative(s) and that the annexe is retained in the same ownership as the main dwelling and that this remains the case in perpetuity.

By way of general guidance and incorporating the emerging policy approach, a proposed residential annexe should (where possible):

- Be subordinate to, and used in connection with, the main dwelling and must not be able to function without the main dwelling (for example, not having separate kitchen facilities).
- Be interconnecting with the main dwelling as a whole (for instance via doorways); if accessed by a separate external entrance this should not separate from the main dwelling and therefore should rely on a common shared access with the main dwelling.
- Be within the curtilage of the main dwelling.
- Have a functional connection with the main dwelling (e.g. the occupant should be a dependant relative of the residents of the main dwelling or employed at the main dwelling).
- Be in the same ownership as the main dwelling.
- Be designed in such a way as to easily allow the annexe to be used at a later date as an integral part of the main dwelling.
- Have no boundary demarcation or subdivision of the garden areas between the curtilage of the main dwelling and the annexe.
- Have adequate parking and amenity facilities for the needs of the annexe occupants and the residents of the main dwelling.
- Comply with the Council's normal standards for extensions to a dwelling including those relating to design and the amenities of neighbouring occupiers.

Whilst the proposed annexe would provide facilities that might allow for independent day to day living, the applicant has applied specifically for an annexe and has advised that the annexe would be occupied by a close family member. Occupation by a family member would be likely to result in the occupier sharing various living activities with the family in the main dwelling. It is noted that there would be an internal door from the utility room of the main dwelling into the annexe area; that the whole of the application site would

remain as a single unit; and that the garden area would be shared. All of these features point to the ancillary nature of the proposed annexe and that the site as a whole would remain in use for single family occupation and as a single planning unit. The proposed development would therefore not create a separate dwelling but would be a residential annexe used in conjunction with the main dwelling. To prevent the future use of the extension as a separate residence, any planning permission granted would include conditions to limit the use to ancillary accommodation occupied by a family member and to prevent any separation of the residential curtilage.

Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

In relation to side extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that care is needed when considering the relationship between the proposal and the boundary with the neighbouring property, as the separation between properties can provide access routes to the rear of the property and in some locations be part of the character of the area. In addition, side extensions should appear subservient to the original building; be no greater than half the width of the original building; incorporate roof designs to reflect the main roof; and window designs and proportions to reflect those existing and local character.

In relation to single storey rear extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that they should not dominate the original property in terms of depth (extensions to extensions will not generally be supported); they should not rise above the window cill level of any first floor windows; they should not be excessive in height, especially where they are greater than three metres in depth; or excessive in width (no greater than the original building). Flats roofs can be acceptable where they are not widely visible and pitched roof designs should reflect the main roof.

The proposed development would add a single storey side/rear extension to the dwelling that would be set back some 3.9 metres behind the front building line. The side extension element would have a width of 1.9 metres at the front and 5 metres at the rear and although it would be a large addition (almost as wide as the existing dwelling at the rear), it would not overwhelm the existing building. The proposed external facing materials would match with existing and an external rear access would be maintained. Although the proposed roof would not match with existing, the flat design would reduce the size and bulk of the extension and as the proposal would be set back significantly, it would not be visible in the surrounding street scene.

The rear extension element would extend beyond an existing rear projection and have a depth of 5.4 metres across the full width of the property, with a flat roof of some 3.5 metres height. Although large, it would be of a design and materials that would match with the existing building and those in the surrounding area. As a rear extension, the proposal would not be widely visible and it is noted that no. 73 Lamorna Avenue has a an existing rear projection (a conservatory) which is deeper than the current extension at the application site.

Therefore on balance, it is considered that the proposed side/rear extension would not be detrimental to the character or appearance of the existing building or the surrounding street scene.

In relation to rear roof extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that proposals should be set away from the gables, hips, eaves and ridge of a property; be lower than the existing ridge line and retain the original ridge line treatment; that dormers should not overwhelm the roof slope within which they are placed; and that windows should reflect the position, design and character of existing windows on the host building.

The proposed development would include a hip to gable enlargement and a dormer extension in the rear

roof slope. The hip to gable enlargement would unbalance the pair of semi-detached dwellings of which the application site is a part but would be viewed in the context of an existing gable end roof at no. 69 Lamorna Avenue. The proposed dormer although large, would be set in from the edges of the roof and would be subservient to the new roof in which it would be situated. The proposed facing materials and fenestration would match with existing.

Whilst the proposed development would not meet all the permitted development criteria, it is noted that a rear extension with a maximum depth of six metres (subject to prior approval) and a hip to gable and rear dormer would be allowable in principle.

Overall, the proposed development would be acceptable in terms of design and would not have an adverse impact on the character or appearance of existing building or the surrounding street scene. Therefore, the proposal would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014), and broadly in line with the Householder Extensions/Alterations Design Guide SPD (2021).

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants. In this regard, the Nationally Described Space Standards (NDSS) and the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

As a residential annexe, the proposal would not need to meet the requirements in the NDSS for a new dwelling. However, in terms of assessing future living conditions, the document is a useful benchmark. A one bedroom, one person, single storey dwelling should have a minimum floor area of 39 square metres (with 1 square metre of built in storage). The proposed annexe would have 34 square metres of floor area but would not provide any living or dining facilities and therefore would provide spacious living conditions for a residential annexe.

The proposed development would provide four bedrooms which meet the minimum floor area requirements in the NDSS and sufficient rear garden area and depth would be retained in line with the RLG. As such, the proposal would provide a good standard of living for future occupiers and be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

In order to prevent a loss of privacy for future occupiers, any proposed bathroom/w.c./en-suite windows should be conditioned to be permanently obscure glazed.

It is noted that the proposal would result in the loss of a secondary kitchen window and a hallway window but due to there being an alternative window for the kitchen in the proposed rear elevation and because the hallway is a non-habitable room, there would be no significant loss of natural light.

The proposed development would improve the living conditions for future occupiers and as such, the proposal would not be detrimental to residential amenity and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers. In this regard, the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The closest residential properties to the application site are nos. 69 and 73 Lamorna Avenue (located to the north east and south west respectively). No. 34 Arnold Road is located to the north. Nos. 84 and 86 are located to the south east across the roadway.

Due to the design of the proposed development, to the screening provided by boundary treatments and to the layout and orientation of the surrounding properties, there would be no adverse overlooking,

overshadowing or overbearing impacts to the occupiers of the surrounding dwellings.

In order to prevent any future loss of privacy to neighbours, any planning permission granted should be conditioned to preclude the insertion of any windows or openings in the side elevations of the proposed development.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Parking and Highways

Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994 require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

The application property has three bedrooms and on-site parking for two vehicles, which does not meet the requirements of the KCC Residential Dropped Kerb Guidance and Self-Assessment document.

Specifically, that parking spaces located perpendicular to the roadway should be a minimum of 2.4 metres (width) by 4.8 or 6 metres (depth). Six metres depth would be required if the space is in front of an access door or garage.

The proposed development would result in the building increasing from three to four bedrooms with the existing car parking being retained. As a four or more bedroom property, the adopted Vehicle Parking Standards require a maximum provision of three parking spaces. However, it is noted that the Highway Authority have more recent guidance that requires a minimum of two spaces to be provided for a four bedroom property in a suburban area.

Therefore, although two spaces are available, they do not have appropriate depth as such, the proposed parking provision would not be sufficient. However, it is noted that the application site is located in a sustainable location, close to local shops and services and various bus routes and that the proposed parking layout is an existing situation.

Overall, it is considered that the proposed development may result in a small increase in demand for on-street parking in the surrounding area but that this demand would not significantly undermine highway safety. As such, the proposal would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014).

Any Other Material Planning Considerations

The application site is located within an area of multi-period archaeological potential and Groundwater Source Protection Zone 2. However, as the proposed development is within the confines of an existing residential garden and only a relatively small amount of groundworks would occur, then it is considered that there would be no adverse impacts to groundwater or archaeology. As such, the proposal would be in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

The application site contains a public sewer in the rear garden and the comments of Southern Water can be provided to the applicant via an informative on any planning permission granted. Although Southern Water suggest a planning condition, it is noted that Building Regulations legislation effectively covers this issue and as such, it would be unreasonable to duplicate this procedure.

The application site is located in a smoke control area. As such, advice regarding smokeless fuels/appliances can be given to the applicant in an informative attached to any planning permission granted.

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Materials to match existing

Obscure glazing to en-suite/w.c. windows

No further openings in flank elevations

Use of side extension as a residential annexe for family member

No sub-division of the application site

Retention of interconnecting door to annexe

Conclusion & Recommendation

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	30th July 2024	Dated:	01 August 2024