

Delegated Report

Householder Planning Application

Planning Application No: 20241147

Location: 109 Portland Avenue Gravesend Kent DA12 5HF

Description: Erection of a veranda to rear of property.

Applicant: Mrs Caroline Hills

Site Visit Date: 19th November 2024

Submitted Documents/Plans

Application Form Dated 16/12/2024;
Drawing Number CH/02 (Site Location Plan);
Drawing Number CH/03 (Block Plans – Existing and Proposed);
Drawing Number CH/04 (Elevations and Floor Plan – Existing);
Drawing Number CH/05 (Floor Plans – Proposed);
Drawing Number CH/06 (Rear Elevation – Proposed);
Drawing Number CH/07 (Side Elevation – Proposed); and
Drawing Number CH/08 (Side Elevation Facing 110 – Proposed).

Relevant Planning History

Reference	Description	Decision	Decision Date
20240875	Erection of a Veranda.	Refused	02.12.2024

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

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

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Consultees

Ward Councillors – No comments received

Neighbouring properties

Two surrounding properties were consulted and a site notice was displayed on 18th December 2024. No responses were received and the consultation period expired on 17th January 2025.

Preliminary Matters

Previous application 20240875 for 'Erection of a Veranda' was refused for the following reasons:

The proposed boundary fence is considered to be excessive in height which would resultantly have an overbearing impact on neighbouring properties. Therefore, the application is contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2023).

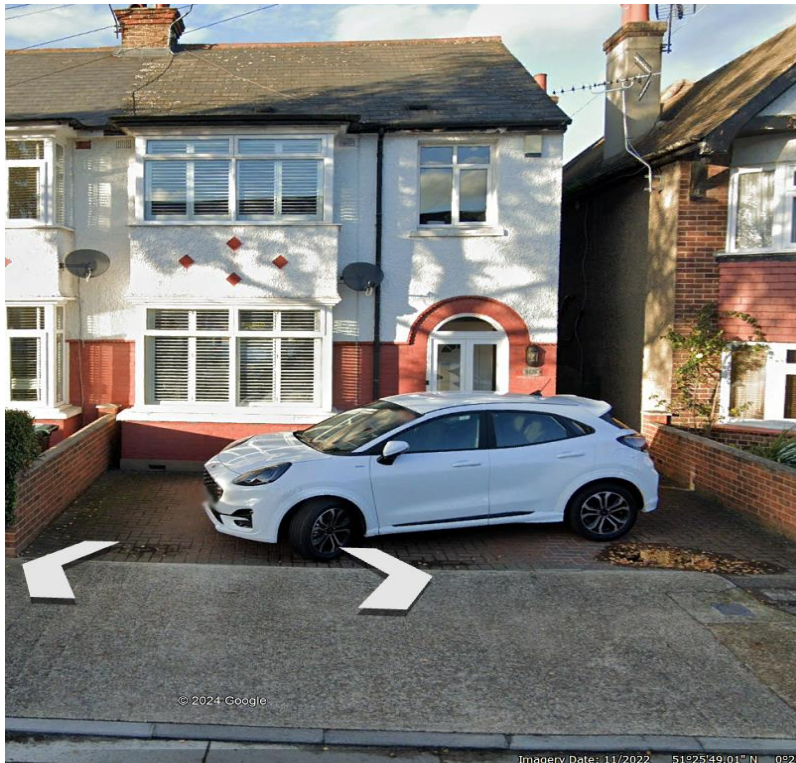
By way of the excessive height of the boundary fence, the proposal is considered to have a detrimental impact on neighbouring outlook and as such, the proposed development is not considered to safeguard the amenity of neighbouring properties and is therefore contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed and beautiful places) of the National Planning Policy Framework (NPPF) (2023).

The current application looks to overcome these issues.

Officer's Analysis

Design, Character and Appearance

109 Portland Avenue is a two storey semi-detached dwellinghouse located on the Northern side of the highway. The property is hard standing with vehicular crossover to the frontage for off road parking with garage to the rear.



The application proposes the erection of a veranda to the rear garden.

The veranda will have a proposed width of 2.7m and a height of 0.79m with a 1.15m balustrade above. It will project 3.17m from the existing conservatory to the rear elevation with stairs leading to the rear garden at ground level.

The proposed veranda will be grey composite to the flank with grey composite decking and stairs and stainless steel balustrade to surround.

The previous application was refused as the proposed boundary fence to neighbouring property 110 Portland Avenue measured a total of 3.6m in height, which is considered excessive and as such would have resulted in an overbearing boundary treatment which would be harmful to the outlook of neighbouring properties.

The current application has reduced the height of the boundary fence to a maximum of 2m which is considered acceptable in terms of design. As such the current application is considered to have overcome the reasons for refusal from the previous application.

Therefore, the development hereby proposed is not excessive in size or bulk, will be constructed using appropriate materials and will have no impact on the street scene. Therefore, the application is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Amenity of Future Occupiers

The application does not propose any changes to the size of the amenity area and no concerns are raised. As such, the proposed development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Neighbouring Amenity

The previous application was refused as the proposed height of the boundary fence was considered to be excessive and as such would have an overbearing impact on neighbouring property known as 110 Portland Avenue.

As mentioned in the design section of this report, the current application has decreased the height of the boundary fence from 3.6m to a maximum of 2m and as such has overcome the overbearing and unacceptable outlook for neighbouring properties.

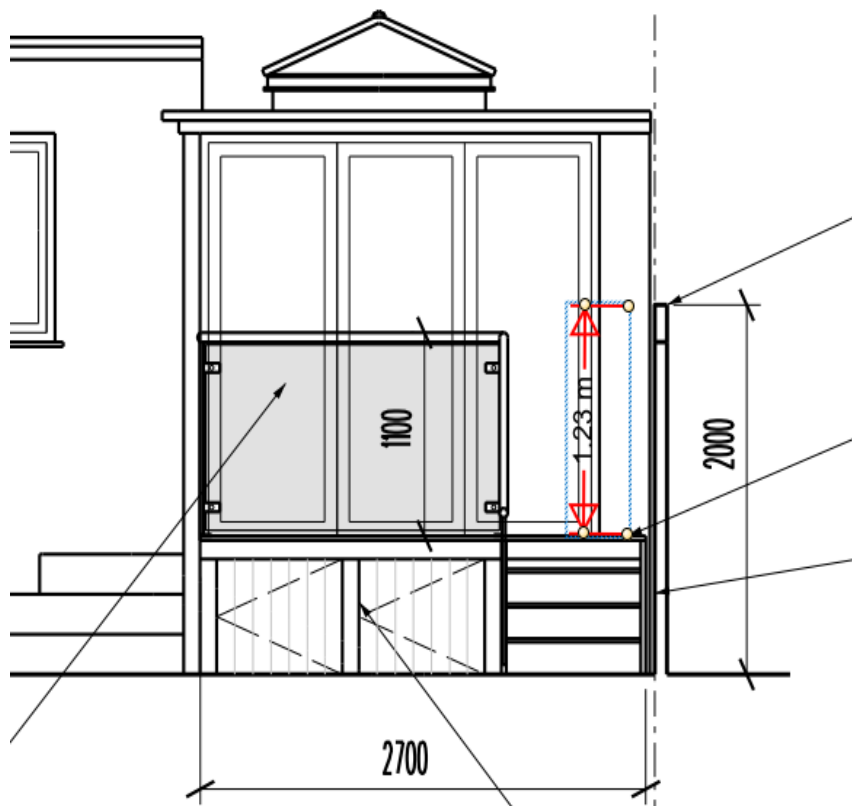
However, the Key Principles for new development as stated in Gravesham's Householder Extensions/Alterations Design Guidance (SPD) (2021) 9.6 details:

Privacy

9.6: It is important that new development sustains the privacy of neighbouring dwellings. Windows, balconies and raised decking can result in the loss of privacy to neighbouring properties from overlooking of their private amenity areas, or from direct close views into windows. To ensure adequate privacy levels are retained, there should be no direct overlooking into neighbouring habitable rooms or private amenity spaces of neighbouring gardens. There may be a requirement for privacy screens to the end of raised decks or balconies.

A private garden area is considered to be the first 5m from the rear elevation.

The proposed veranda would have a height of 0.79m from ground level. Whilst a 2m fence would serve as a boundary treatment from ground level, it would only measure 1.23m in height from the veranda as shown below:



Therefore, due to the height of the veranda, it is considered that there would be direct overlooking into the private amenity space of 110 Portland Avenue and as such would be detrimental to neighbouring privacy, as demonstrated in the block plan below:



Overall, whilst it is considered that the previous issue of detrimental neighbouring outlook has been overcome, the proposed veranda does not protect the privacy of neighbouring properties.

Therefore, whilst the application has overcome the previous issues with neighbouring outlook, due to the detrimental impact on neighbouring privacy, the proposed development is not considered to safeguard the amenity of neighbouring properties and is therefore contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Conclusion

Whilst the application has overcome the previous issues with neighbouring outlook, due to the detrimental impact on neighbouring privacy, the proposed development is not considered to safeguard the amenity of neighbouring properties and is therefore contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Recommendation

Refusal

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

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	4th February 2025	Dated:	5th February 2025