



Delegated Report

Householder Planning Application

Planning Application No: 20230816

Location: 10 Medbury Road Gravesend Kent DA12 2NT

Description: Conversion of existing garage and erection of a side extension to form an office space with a pitch roof.

Applicant: Mr. Noble Gogna

Site Visit Date: 09/08/23

Submitted Documents/Plans

- Application Form
- Drawing No: 01 (Existing Location Map, Floor Plans and Elevations)
- Drawing No: 02 (Proposed Floor Plans and Elevations)

Relevant Planning History

Reference	Description	Outcome	Decision Date
20191005	Erection of single storey rear and side extensions.	Permitted	12.11.2019
20120751	Demolition of existing garage and erection of single storey side extension to form kitchen/dining room and erection of a front porch.	Permitted	11.10.2012
20050723	Erection of two storey side extension to form a granny annexe comprising lounge, kitchen/diner at ground floor level with two bedrooms and bathroom/w.c. at first floor level.	Permitted	21.11.2005

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

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

Local Ward Councillors

No comments received.

GBC – Highways Officer

As presented, I have insufficient information to make a judgement.

- *The loss of the garage results in the loss of a parking space, with no details being given on what can be parked on site. A minimum of two spaces should be available.*
- *The proposed office is rather large for a home office and has the opportunity of being used independent of the main dwelling and it would appear easily capable of accommodating 4 people. Some of which may not be residents and so require their own car and cycle parking.*

I would recommend the following,

1. *A parking plan is required for a minimum of two cars.*
2. *The office can only be used ancillary to the occupation of the main dwelling and cannot be used for any commercial activities or be occupied by people that are not living at the property.*

I note that a company Drivestylers operates from this address which may require further investigation?

<https://www.drivestylers.co.uk/contact> <https://www.drivestylers.co.uk/>

Neighbouring properties

The application was advertised by way of site notice and letters to 15 surrounding properties. The consultation period expired on 08.09.2023 and 11 objections were received of which two were raised from the same address. The main comments raised were:

- Concerns about blocking traffic in shared driveway.
- No objection to the conversion in itself on my property but concerned about impact on the surrounding properties.
- A company is being run from this residential property, which is accessed by a shared driveway where space is very tight.
- There are already parking and access issues and we think these will only get worse if the business

is expanded with visitors, deliveries, etc.

- Noise pollution from existing business being run from address
- Concerns the outbuilding will be used for storage of business materials
- Chemical odours emanating from chemicals stored on site and rubble from jobs stored causing rodent infestation
- Area being turned into a commercial area
- Proposed extension will enable growth of business and subsequent noise and general nuisance
- Not in keeping with surrounding area
- Where will vehicles be kept if garage is converted
- Property is a business address for builders and driveways works and materials delivered to home address with lorries blocking road and parking being restricted and driveways being blocked by these constant deliveries
- Object as purpose is for commercial purposes
- Proposal will result in more traffic and parking issues in cul de sac
- Safety of children in cul de sac when vehicles are manoeuvring on site
- Planning proposal would more than likely cause more damage to a front garden as the shared access is very narrow for big lorries to bring deliveries in and out as there is no room for manoeuvring
- There will be a lot of noise and lorries/cars involved in this project as there was when extending the existing property working at Weekends early in the mornings no thought for neighbours we already have limited space for parking and this will add to the situation.
- we understand that this is for office space but does this mean there will be traffic ongoing going to the office all times of the day as long as the family are mindful to others people this could affect
- Applicants business interferes with our daily lives at the present; most morning is loading his van between 6 and 7 am. should he be allowed to extent his business in a residential area :
- we have very private community and his visitors at present interfere daily by parking in front of our properties.
- This space he should use for his business visitor and rubbish accumulates here at the present , will only grow on our private road area.
- I seriously object to business of this kind operating in such a quiet residential cul-de-sac , I feel the traffic will only increase, and we have small children in the area.
- The pitch roof will block sunlight reaching my back garden.
- This build like the previous extension works will cause disruption to the shared drive way as well as the dirt and dust that we will have to contend with during the build and like the previous works, they will not be completed during normal working hours but will be done over weekends stopping the neighbours being able to enjoy time in their gardens due to the dirt and dust and the noise. With early starts and late nights.
- Our main concern with this build is with is the use being an office. This raises major concerns with us that their Paving & Drive installation business will grow using this office and will create additional activities on this very small and shared drive.
- This business being run out of our small residential area is already causing noise nuisance with their van being started up and left running while being loaded up as early as 6.30 in the morning as and late as 8.30/9pm at night. Everyday including weekends.
- They have caused damage to another neighbours car with their work van when trying to reverse out of the small shared drive and there is constant comings and goings. This is a residential area and not a commercial one with a business being run out of it

Some of the objections raised above are not material planning considerations and will not form part of the decision making process.

- Any issues relating to noise and dust pollution should be reported to the Council's Environmental Protection Team, noise diaries will need to be kept before the Council can investigate and ascertain whether there is a statutory nuisance which can be investigated under the Environmental Protection Act 1990.
- Damage to gardens and vehicles is a civil matter which should be reported to the police using 111 if

- Allegations regarding the premises being used for business purposes will be reported to the Planning Enforcement Team
- Should permission be forthcoming an informative will be included to remind the applicant of the Works of Construction hours.

Proposal

Existing





EXISTING BLOCK PLAN - SCALE 1:200



PROPOSED BLOCK PLAN - SCALE 1:200

Procedural Matters

It is noted that the location plan does not show the existing side and rear extensions. Furthermore the proposal seeks to convert the existing garage, however this is an outbuilding which has been constructed under possible PD and so there are no conditions to restrict its usage for parking only.



Character and Appearance

The application property is a two storey semi detached house situated at the Northern End of Medbury Gardens which is a cul de sac, the property is reached via a shared driveway. The property has been previously extended to allow for a single storey wrap around extension which was constructed circa 2020. The property previously had permission for a two storey side extension which was never constructed and a previous planning consent allowed for the attached side garage to be converted into a habitable room meaning the property become entirely dependent on driveway/highway parking.



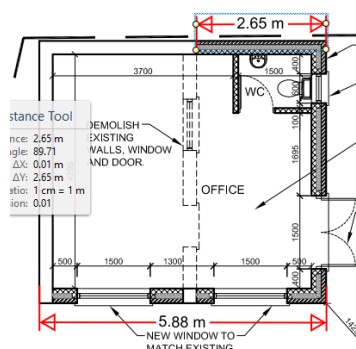
The outbuilding which is subject of this application was constructed at some point between 2015 and 2018, whilst outbuildings can be constructed under permitted development rules it is not clear whether this outbuilding falls within the GPDO parameters, however as this has been in place for some time it would have become immune from enforcement action.



In terms of design the existing outbuilding is situated slightly forward of the principle elevation of the host dwelling, it currently has a flat roof and a garage door in the front elevation. There is also a metal shed positioned to the side of the garage and during the officer site visit there were many building tools and materials on site which did not appear to be related to any ongoing works on the site.



The proposal seeks to extend the small outbuilding almost doubling its width. At present the outbuilding appears as a garage used for storage and is largely in keeping with the surroundings. The proposal seeks to introduce double doors, a window and a pitched roof to this building giving it a more domestic feel and increasing its presence in the wider streetscene. The height of the shed would increase to 4m resulting in a prominent building which would appear as an independent dwelling.



The council's adopted design guidance states:

10.16 As with all extensions, outbuildings should not detract from the character of the area (this is especially important where the outbuilding will be visible from the street) and should be unobtrusively located to the side and rear of the existing dwelling. They should also not have an adverse impact on the amenity of the surrounding properties in terms of noise and disturbance created through access or overlooking / overshadowing of existing properties.

The proposed extension is deemed harmful to the character of the wider area where there are no such outbuildings in the vicinity, furthermore the position of the outbuilding would increase its prominence and increase the built form of the plot. The plot already has extensive extensions in place and increasing the size of the outbuilding would further deprive the plot of private amenity space and result in overdevelopment. The impact on amenity will be investigated in the latter section of this report.

There does not appear to be any soft landscaping on this plot and increasing the built form on this site will have an urbanising effect on the area.

The proposed office and garage conversion is considered to result in overdevelopment of the plot, impact the wider character and appearance of the area and have an urbanising effect by virtue of increasing the built form on site contrary to CS19 Local Plan Core Strategy 2014, SPD4 – Householder Alteration and Extensions Guidance (2021) and Para 130 of the National Planning Policy Framework (2023).

Amenity of Future Occupiers

Post development the site would have approx. 56 square metres of resultant garden space and the distance between the rear extension and rear wall of the property would be some 2.84m. Below are the Council's technical standards:

Accommodation with :	Minimum garden area (sq. metres)	Minimum depth from rear wall of house (metres)
1-2 bedrooms	37.2	7.6
3 bedrooms	60.0	10.0
4 or more bedrooms	100.0	10.0

The property is a 2 bedroom property and whilst there is adequate private amenity space in part due to the side garden the distance between the property and the rear wall of the property is below the council's preferred standards.

However the proposed development would not impact the existing distance between the rear of the house and the rear boundary and so a refusal on amenity grounds is not considered sustainable at appeal.

Neighbouring Amenity

The outbuilding is located next to an existing garage block which would be predominantly affected by the development.

In terms of light and outlook The property situated to the Northeast known as 46 Fenners Marsh would not suffer from any meaningful loss of light or outlook as the increase to the garage would not be visible from the property, however the change of roof form would be. The distance between the outbuilding and this property is adequate and so there is no concern in terms of loss of light or outlook, furthermore there is no fenestration proposed in the rear or side elevations which would effect this property. Should permission be forthcoming a condition would be imposed to ensure no window or door openings could be introduced.

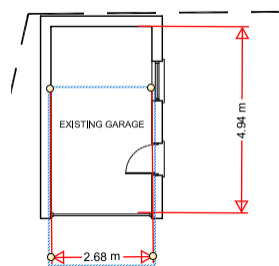
The outbuilding is also close to the shared boundary with 12 Medbury Gardens, the path of the sun would mean this property would not be impacted from overshadowing and due to the orientation there is no impact on outlook. The outbuilding may however appear as a dominant structure from the garden of No.12 and the change of use to an office may cause perceived overlooking however there are no windows at ground floor level of No. 12 and the building is orientated so that it does not directly face No.12.

There is concern regarding possible noise pollution emanating from the outbuilding in which case a condition can be imposed to restrict the usage of the building so that it does not contain any living space or is used to run a business should permission be forthcoming.

The proposed development is considered compliant with SPG2 Residential Layout Guidelines 2020 and CS19 Local Plan Core Strategy 2014.

Parking and Highways

Under the adopted standards in SPG 4 - KCC Parking Standards (2006) a parking space should be 5m deep x 2.5m wide, and a preferred garage space for a single car should be 5.5m x 3.6m. The garage internally is a minimum of 4.9m by 2.6m. Therefore the existing garage space would not be fit for purpose necessarily to accommodate a modern day car and would therefore not probably be used other than for domestic storage.



There are concerns that there is not sufficient parking provision on site, however the increase to the outbuilding and its change of use would not impact parking any more than what is currently on site. It is acknowledged that parking is at a premium in Medbury Gardens, however this appears to be exacerbated by the site being used for business purposes which will be looked into by the Council.

Notwithstanding the concerns of the GBC Highways Development Management Officer about loss of parking it is not considered that the loss of the garage would justify refusal of the whole scheme or that such refusal could necessarily be defended on appeal. The one useable on site parking space would still remain even though there appears to be no scope for additional on site parking.

Conclusion & Recommendation

The proposal has been fully considered and a refusal is recommended owing to the below ground:

The proposed garage conversion and extension is considered to result in overdevelopment of the plot and impact the wider character and appearance of the area contrary to CS19 Local Plan Core Strategy 2014, SPD4 – Householder Alteration and Extensions Guidance (2021) and Para 130 of the National Planning Policy Framework (2023).

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

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	26.09.2023	Dated:	28th September 2023