



Delegated Report

Application No: 20211449

Location: 46 Whitehill Lane, Gravesend DA12 5LZ

Description: Erection of a single storey rear extension, front porch, engineering works and erection of an underground double garage. Creation of a vehicle crossover and hardstanding.

Applicant: Mrs Ausra Grigaliuniene

Site Visit Date: Desktop

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form received 6 January 2022.

Drawing no. A01 (existing plans) received 25 November 2021.

Drawing no. A02 (proposed elevations) received 25 November 2021.

Drawing no. A03 (existing and proposed plans) received 25 November 2021.

Drawing no. A03 rev B (site location and block plans) received 25 November 2021.

Drawing no. A04 (existing elevations) received 6 January 2022.

Drawing no. A05 (proposed elevations) received 6 January 2022.

Relevant Planning History

None.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11- Transport
- CS18 – Climate Change
- CS19 - Design & Development Principles

Paragraph 33 of the National Planning Policy Framework (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) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

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

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

Other material considerations

National Planning Policy Framework (2021)

- 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)
- Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

KCC Archaeology

No comment.

Highway Development Management Officer

This proposal receives an immediate recommendation of refusal for the following reasons.

1. The garage door is located at the highway boundary which results in safety issues as there are no pedestrian visibility splays. These visibility splays are generally 2m x 2m either side of the access point with the height of any hard/soft landscaping or boundary restricted depending on location
2. Reference is made on drawing A05 Rev A to the use of Gates, these are unacceptable as to secure the garage they would have to open out across the highway.
Section 153 of the Highways Act 1980 states:
*“153 Doors etc. in streets not to open outwards.
(1) A door, gate or bar which is put up on any premises and opens on a street shall be so put up as not to open outwards unless, in the case of a door, gate or bar put up on a public building, the local authority for the area in which the building is situated and also, if the street is a highway, the highway authority consent to its being otherwise put up.”*

Neighbouring properties

The application has been advertised by site notice and individual letters to six neighbouring properties. One letter neither supporting or objecting to the applicant has been received but raising concerns regarding the loss of the Holly tree to the front of the property from a biodiversity standpoint and asking if it is possible to condition the application to replace this to the rear.

Analysis

Proposal

This application seeks planning permission for the erection of a single storey rear extension, front porch, engineering works and erection of an underground double garage. Creation of a vehicle crossover and hardstanding.

The single storey rear extension will project 4m from the rear of the dwelling and will extend its full width. It will be finished with a flat roof and roof light. It will provide for a larger kitchen/diner.

The proposed front porch will replace the existing front porch and will project approx. 1.23m to the front. It will be approx. 2.5m wide and will be approx. 3.6m high with a pitched roof.

The double garage will be located to the front with access directly onto the highway. The front retaining walls will be increased to approx. 2.4m with a safety railing on top. There will be double gates with access onto the highway. It will be 8.73m deep at its deepest point. It will be approx. 6m wide and there will be a path and steps to the northern side to allow pedestrian access to the property.

The remainder of the front garden will be laid to soft landscaping.

Character and Appearance

The application site is a two storey semi detached property located at an elevated position. The street scene is mixed in terms of property type and design. Opposite is a large green area sloping steeply down to Valley Drive. The property has a tall retaining wall to the front which is also to the front of no. 44. (Note: the existing plans show the roof to be pitched when it is in fact hipped. The proposed plans show the correct roof shape and so it was not considered necessary to ask for this to be amended).

In terms of the rear extension, this will replace an existing extension of approx. 2.3m in depth. The neighbouring property at no. 48 has a similar extension and it will not be visible from the street. In terms of scale and proportion it is considered in keeping with the original dwelling.

The proposed replacement porch will complement the dwelling and improve its appearance. Whilst it is larger than the existing it is still considered in keeping with the original dwelling and the pitched roof will complement the property.

The proposed garage will be located adjacent to the footpath and therefore will be highly visible. The retaining wall to the front is already quite high due to the land level changes. The increase in height is not considered to significantly impact on the street scene. The character of the area is mixed and, whilst there are no other garages built into the ground, there are garages to the front of properties further to the north and most dwellings have off road parking.

The Local Plan and NPPF are clear that there should be no net loss of biodiversity. The site contains some trees to the front currently. As some of the front garden will remain there is potential to retain or replace some of the lost trees. A condition can be imposed to ensure this happens.

In terms of character and appearance, the proposed development accords with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

Amenity of Future Occupiers

Once the rear extension is built sufficient space in the rear garden will remain for the future occupiers of the dwelling and therefore no concerns are raised.

Neighbouring Amenity

No. 44 is located to the north of the application site and is a larger detached property. It is set further back from the road and at a higher level. Due to the position and height of the property and boundary treatment there will be no loss of outlook, privacy, sunlight or daylight from any of the proposals.

No. 48 is located to the south and has a single storey rear extension. The proposed rear extension will extend approx. 0.5m further than this. This relative short distance is not considered to result in any detrimental impact on this neighbour in terms of loss of outlook, privacy, sunlight or daylight. The proposed porch is to the opposite side of the dwelling than this neighbour and therefore will also have no detrimental impact on amenity. The proposed garage will be located to the front at ground level and therefore will also have no detrimental impact on the amenities of this neighbour.

The proposed extensions and alterations therefore accord with the objectives of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021.

Parking and Highways

Saved Policy T1 of the Gravesham Local Plan First Review 1994 states that 'The Local Planning and Highways Authority will consider the impact on the transport system and on the environment if traffic generated by new development and will wish to ensure that all proposed developments are adequately served by the highway network.

Saved Policy T5 states 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 Authority'.

Policy CS11 of the Gravesham Local Plan Core Strategy 2014 states that new development shall mitigate its impact on the highway network as required.

The garage gates are located at the highway boundary which results in safety issues as there are no pedestrian visibility splays. These visibility splays are generally 2m x 2m either side of the access point with the height of any hard/soft landscaping or boundary restricted depending on location.

Reference is made on drawing A05 Rev A to the use of Gates, these are unacceptable as to secure the garage they would have to open out across the highway. Section 153 of the Highways Act 1980 states:

"153 Doors etc. in streets not to open outwards. (1)A door, gate or bar which is put up on any premises and opens on a street shall be so put up as not to open outwards unless, in the case of a door, gate or bar put up on a public building, the local authority for the area in which the building is situated and also, if the street is a highway, the highway authority consent to its being otherwise put up."

The proposed garage therefore raises concerns with regards to highway safety and therefore conflicts with the objectives of Saved Policies T1 and T5 of the Gravesham Local Plan First Review 1994 and Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014.

No objection is raised to the rear extension or porch.

Conclusion

The proposed garage and its entrance gates, due to their position adjacent to the footpath, and the probability that the gates will need to open outwards, represent a highway hazard by virtue of impeded visibility splays. Therefore the proposal is contrary to Saved Policy T5 of the Gravesham Local Plan First Review (1994), Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (2014) and the adopted vehicle parking standards (SPG4).

Recommendation:

Refuse

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 28 February 2022.	Dated: 1 st March 2022