



Delegated Report

Application No: 20180387
Location: 14 Chalky Bank , Gravesend
Description: Demolition of existing garages and erection of a two bedroom dwelling.
Applicant: Mr Michael Shrosbree

Site and surroundings

The application site is located to the west side of Chalky Bank, which is a predominately residential area. The property forms the southern half of a pair of semi-detached properties and is situated on an irregularly shaped plot of land. This irregular shape appears to be caused by the relationship of the application site with the properties located to the south.

On the southern side of number 14 is an existing single storey detached garage that has a flat roof. The portion of the garage closest to number 14 is constructed from brick and render, whilst the structure attached to the southern side of this garage appears to be of a less substantial construction. There is a gap of approximately 1 metre between the brick built garage and number 14.

Number 14 also currently has an existing single storey rear extension, although there is no planning history in regard to this addition.

Number 16 is located further to the south-east and is a detached bungalow that has a shallow pitched gable ended roof. The gable on this property is north-west to south-east facing. This property is located on slightly higher ground level. To the north-western side of number 16 is a flat roofed garage and there is a parking area positioned between the side of this garage and the application site. A 1.8 metre high close boarded fence is placed along this common boundary with the application site.

Proposal

Planning permission is sought for demolition of existing garages and erection of a two bedroom dwelling.

The dimensions of the proposed semi-detached building footprint would be the following:

Width – 9.103m at ground floor level, reducing to 5.644m at first floor level.

Depth – 12.55m

Height – 7.62m (When measured from the ground level within the current curtilage of number 14 when immediately adjoining the development).

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The internal layout of the development shows a two storey detached house that has an open plan kitchen/diner, a living room, a W.C and a utility room at ground floor level and two bedrooms, a study room and a bath room at first floor.

The application consists of the following documents/plans.

Application form received on 18th April 2018;

A single page document entitled 'Design and Access Statement' received on 18th April 2018;

Drawing Number: CB/01 Rev 01 - Existing and proposed floorplans and elevations received on ** 2018; and –

Drawing Number: CB/02 Rev 01 - Existing and proposed block plans received on ** 2018

Relevant Planning History

19593478	Construction of new road with pedestrian _ garage access to each house.	Permitted	01.09.1961
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Development Plan

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 development plan comprises the adopted Gravesham Local Plan Core Strategy September 2014, saved policies from the adopted Gravesham Local Plan First Review 1994 and saved policies from the Kent Minerals and Waste Local Plans.

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 215).

The policies relevant to the consideration of this application are set out below.

Gravesham Local Plan Core Strategy September 2014:

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Development and Design Principles

Gravesham Local Plan First Review 1994:

- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network
- P3 – Vehicle Parking Standards.

Other Relevant Guidance

National Planning Policy Framework (2018)

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

Supplementary Planning Guidance

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

- Residential Layout Guidelines (July 1996)
- SPG 4: Kent Vehicle Parking Standards (July 2006)

Consultations, Publicity and Representations

Consultations

Highway Development Officer

No objections to the proposal as adequate parking at two spaces per property will be provided, However I believe the proposed parking for the existing dwelling should be provided and available for parking prior to construction of the new dwelling

Design South-East

- This site could be appropriate for a single house development; however, we are concerned about how far the proposal projects in front of the neighbouring property at 12 Chalky Bank to reveal a blank side wall, and the relationship to the southern site boundary. Building right up to the boundary in this way creates awkward and inaccessible triangular areas, and would cause disruption to the neighbouring property at 16 Chalky Bank when digging foundations.
- More context is required in proposed drawings to analyse this fully, but we feel the way to address these issues should be as follows:
- Set the proposal back at least 500mm.
- Rotate the pitch of the roof by 90° to create a gable frontage to the street. This would better relate to the majority of properties on the street, and reduce the impact on next door neighbours.
- Slightly rotate the proposed footprint I to be parallel with the southern site boundary (rather than the neighbouring property). This should avoid creating inaccessible triangular spaces and better follow the curve of the street
- This will require adjustments to the rear of the property to accommodate the angles created, but we suggest functional spaces of roughly equivalent floor area should be possible.

Since these comments have been received the plans have been amended to improve the proposed design of the property.

Representations

9 neighbour consultation letters were sent out on the 19 April 2018 and expired on 11 May 2018. No representations in response to these consultation letters have been received.

Analysis

Principle of Development

The site currently is located towards west of Chalky Bank. The is currently a large semi-detached dwelling with a side garage. The property is surrounded by residential properties with modest

sized gardens.

The application site lies within the urban area. The Local Plan Core Strategy Policy CS02 (Scale and Distribution of Development) prioritises development in the urban area as a sustainable location for development. This will be achieved by '*promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area*'. The core strategy also identifies Gravesend as the most sustainable part of the Borough, along with Northfleet and Ebbsfleet as first tier in settlement hierarchy.

Adopted Local Plan Core Strategy Policy CS02 sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for over 6,000 new dwellings in that time. Whilst the Council is currently able to demonstrate a five year housing supply the proposed development for a net increase of an additional dwelling would contribute towards meeting this local need and, accordingly, some, limited weights, in support of the application can be afforded.

In terms of density of the proposed development, policy CS15 (Housing Density) of the Gravesham Local Plan Core Strategy, 2014 states:

"All new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Subject to this overriding consideration: Within the urban area, new residential development will be expected to achieve a minimum density of 40 dwellings per hectare (dph)..."

The density of the proposed development is slightly greater than the density found in the immediate area. However, this increased density is not so great that the proposal is considered to compromise the distinctive character of the area in which it is situated. The proposed development equates to 42.7dph and is considered to meet the objective of policy CS15 (Housing Density) of the Gravesham Local Plan Core Strategy 2014

Overall it is considered that that proposal is broadly in line with the referenced policies and the NPPF in this regard.

Character and Appearance

When evaluating design, it needs to be considered against the overarching principles of the Gravesham Local Plan Core Strategy. Policy CS02 (Scale and Distribution of Development) promotes development in the urban areas whilst Policy CS15 (Housing Density) states that sites will be developed at a variety of density depending on the sites location and accessibility to public transport. Furthermore, development needs to be delivered at a density that achieves good design and does not compromise the character of the area. Policy CS19 (Development and Design Principles) provides design guidance and has principles of requiring development to conserve and enhanced the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards.

The existing semi – detached property currently has a large plot of land to the south side. To this side of the property there is an existing detached garage that is to be demolished as part of the proposal.

The proposed new dwelling would be 'L' shaped building with the front being shorter than the rear elevation. The new dwelling would have total footprint area of 127.05m² over two floors. The scale and design of the proposed dwelling houses shows a hipped pitched roof with a height of 7.62m from the ground floor, with the exception of the bungalow located to the south-eastern side. The design of the building would be similar in scale to the surrounding properties and would not appear out of character with the surrounding properties or the streetscene in general.

To the southern side and west facing rear elevation the proposed new dwelling would have a single storey element that would be built right to the eastern and southern boundaries.

The proposed new dwelling would be staggered forward by some 2.5m from 14 Chalky Bank (the existing dwelling on the application site). However, along the street scene there are similar dwellings that are staggered forward.

The proposed dwelling would therefore in terms of its overall the design would fit in well with the size of the plot. In this case, the plot is generously sized and the proposal will integrate into the street scene well in accordance with Policy CS19 of the Local Plan Core Strategy. The design of the property within the townscape is considered acceptable.

However, of planning permission is to be forthcoming conditions related to materials, hard and soft landscaping would need to be imposed.

Living environment for future occupiers

The proposed development needs to ensure that the development will provide adequate living conditions for future occupiers and this is reinforced by the Council's Residential Layout Guidelines. These guidelines provide requirements for room sizes and amenity space. Consideration also needs to be given against how the scheme compares to the Nationally Described Space Standards.

Dwelling A

Room	Actual Size	Residential Layout Guidelines	Nationally prescribed Room Size standards
Living Room	30m ²	-	N/A
Kitchen/Diner	40m ²	7.2m ²	N/A
Bedroom 1	12.5m ²	11.2m ² (double)	11.5m ²
Bedroom 2	12m ²	11.2m ² (single)	11.5m ²
Bathroom	4.59m ²	3.6m ²	N/A

As the property is a 2 bedroom 4 person property it should have at least 70m². As stated above, this scheme exceeds this figure (over 100m²).

The rear garden complies with the minimum garden depth requirements of the Gravesham Residential Layout Guidelines (7.6 metres for 2 bedroom property) the scheme provides 15 metre deep rear garden. The total area of the garden would be approximately 89.56m²

Therefore the proposal complies due to the reasonable sized floor area of the existing gardens. It is considered the layout and amenity space will provide acceptable living conditions for future occupiers.

Residential Amenity

When considering this development careful consideration has to be made that the development will not have an adverse impact on the amenity of surrounding properties. Gravesham's adopted residential layout guidelines provide clear guidance on the window to window distance between dwellings and how to consider impact on overshadowing.

The position of the new proposed dwelling would be between the existing property 14 Chalky Bank and neighbouring occupier no 16 Chalky Bank.

To the north side of the proposed development site is currently the existing host building, number 14 Chalky Bank. This property currently is a semi-detached dwelling with single storey rear extension. The proposed new dwelling would stagger forward that the existing host dwelling by 2.5m. On the front elevation of no 14 Chalky Bank there is front porch, above which is a bedroom window that is approximatively 2m away from the edge of the side elevation. There will also be gap of 1m between these properties when measured wall to wall. To the rear of the proposed development is a single storey rear element which will extend some 1.3m beyond the rear projection at number 14 Chalky Bank.

The side flank wall of number 14 Chalky Bank has two existing ground floor windows, whilst the at first floor there is a window which serves a staircase/landing. Of the ground floor windows both serve non habitable rooms, one being a kitchen and the other a toilet.

On the south side of the development site is neighbouring occupier, number 16 Chalky Bank. This property is a detached bungalow, which is inset from the common boundary by some 2 metres at its closes point and positioned at a slight angle from the common boundary and the proposed development.

Within the rear garden of the application site, along the common boundary are a number of trees and hedges which screens this part of the site from surrounding properties, especially those located to the rear (392 and 394 Wrotham Road). Indeed the properties located to the rear are located in excess of 33 metres from the common rear boundary, whilst the properties located opposite the development site to the front, 5 and 7 Chalky Bank, are located in excess of the 21 metres when measures wall to wall and across a public highway.

The proposed new dwelling would be built right against the common boundary line. Number 16 Chalky Bank is located forward of the applications site. However, due to the positioning of the proposed dwelling, its design and the orientation of the site no loss of amenity to any adjoining occupiers is considered to occur, especially in terms of privacy, daylight, and sunlight. Furthermore, it is not considered that a loss of outlook will occur and no loss of amenity will arise from noise, vibration, light, heat, smell and airborne emissions, such as fumes, smoke, soot, ash, dust and grit.

Finally the levels of activity or related traffic generation will not increase to a significant degree with the introduction of a single additional dwelling. Finally, the proposed development is not considered to dominate or enclose any adjacent property.

As such the proposed development is considered to be acceptable in terms of National and Local Planning Policy and conforms with policy CS 19 of the Gravesham Local Plan Core Strategy 2014 in this regards.

Effects on highway safety/parking provision

The scheme as submitted needs to be considered against saved policy T1 and P3 of Gravesham Local Plan First Review (1994), Policy CS11 of Gravesham Core Strategy and the NPPF. These policies ensure that development has an acceptable amount of parking, is not detrimental to the highway network and promotes sustainable transport methods.

As part of the proposal the development would provide two car park spaces for both the existing dwelling and the proposed development. Highways officer has not objected to the proposed development and it is considered that this scheme complies with local and national planning policy

in regard to highway impact.

Refuse Arrangements

The submitted plans show the sufficient space for refuse storage within the rear gardens of these properties (The existing and the proposed dwellings). The plans also show that access to these rear gardens located between the existing and proposed houses and that there will be no need to manoeuvre the bins through the houses to the fronts of the properties on refuse collection days. This being the case, it is considered that these arrangements are satisfactory and comply with Policy CS19 of Gravesham Core Strategy.

Ecology and Biodiversity

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £239.61 per dwelling (excluding legal costs) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed, but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

- An administrative body being identified to manage the strategic tariff collected by the local authorities;
- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach;
- Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

The applicant will pay the tariff of £239.61 through unilateral agreement therefore no objection is raised in regard to matters of Ecology and Biodiversity as the development is considered to comply with the objectives of the NPPF in this regard and Policy CS12 of the Gravesham Local Plan Core Strategy 2014

Housing Need

Adopted Local Plan Core Strategy Policy CS02 sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for over 6,000 new dwellings in that time. Whilst the Council is currently able to demonstrate a five year housing supply the proposed development for a net increase of '1' no. dwelling would offer a small contribution towards meeting this local need and, accordingly, adds limited weight in support of the application. This limited weight in favour does not outweigh the harm in terms of the development being out of character in the surrounding area and impact on the amenity and privacy of neighbouring properties.

Conclusion

It is considered that having taken on board all the consultee comments received and evaluated the scheme against local and national policy the scheme is policy compliant and permission is accordingly recommended.

Recommendation:

Planning Permission be granted subject to the imposition of appropriate conditions as set out below:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in precise accordance with the following submitted plans and particulars or pursuant to any condition hereinafter contained and there shall be no deviation therefrom without the prior permission in writing of the Local Planning Authority:

- Application Form received on 18 April 2018;
- Design and Access Statement received on 18 April 2018;
- Site Plan received on 18 April 2018;
- Drawing Number CB/02 - Proposed Block Plans received on 18 April 2018;
- Drawing Number CB/01 Rev 2 - Existing and Proposed Floor Plans and Elevations Received on 18 September 2018.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

3. No development above ground level shall take place until samples of materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details

Reason: In the interests of visual amenity and pursuant to policy CS19 of the Gravesham Local Plan Core Strategy

4. Before the development hereby permitted is first occupied hard and soft landscaping schemes shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of all surface treatments and boundary treatments including any walls, fences or other means of boundary treatment. The soft landscaping scheme shall include all details of the planting of trees, hedges, shrubs and grassed areas, including species, age, planting patterns, etc. The approved hard landscaping scheme shall be implemented prior to the occupation of the dwellinghouse hereby approved. The approved soft landscaping scheme shall be implemented in the first planting season following the completion or occupation of the dwellinghouse hereby approved, whichever is the earlier. The hard and soft landscaping schemes shall thereafter be maintained for a period of five years.

Reason: In the interests of amenity, including visual amenity and pursuant to policy CS19 of the Gravesham Local Plan Core Strategy.

5. The area shown on the submitted plans as vehicle parking space to both the existing and proposed dwellings shall be formed and surfaced prior to the first occupation of the dwellinghouse hereby permitted and shall thereafter be kept available at all times for the

parking of private motor vehicles related to those dwellinghouses, and no development whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification, shall be carried out on the site in such a manner or in such a position so as to preclude vehicular access thereto.

Reason: That the development without provision for adequate accommodation for the parking of a private motor car or cars is likely to lead to car parking inconvenient to other road users and detrimental to amenity and pursuant to Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policy P3 of the Gravesham Local Plan First Review 1994.

6. No development under the provisions of Classes A, B, C, D or F of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) shall be carried out on the dwelling hereby approved without a subsequent planning permission being obtained from the Local Planning Authority.

Reason: In order that such development may be subject to planning control to ensure protection of the character of the area, and the amenity of neighbouring residents.

7. The applicant shall undertake a watching brief during construction in case any contamination issues are encountered. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Reason: To ensure that there any issues with regard to potential land contamination are suitably addressed.

INFORMATIVES:-

1 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

2 BUILDING REGULATIONS CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

3 PARTY WALL ACT 1996

Applicants are reminded of their responsibilities under the Party Wall Act 1996. This legislation is not taken into account when determining a planning application and independent advice should be taken in this regard. In the event of application of this legislation requiring change to the permitted

scheme, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

4 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure)(England) Order 2015 and paragraphs 186 and 187 of the National Planning Policy Framework, the Local Planning Authority has approached the assessment and determination of this application in a positive and proactive manner and, where appropriate, has worked 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.

5 HIGHWAYS

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

6 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site

Case Officer: Mr Ravi Rehal

Signed:



Dated: 28 September 2018

Authorising Officer

Team Leader: Chris Butler (Planning Manager – Development Management)

Signed:

A handwritten signature in black ink, appearing to read 'Chris Butler', with a stylized flourish at the end.

Dated: 25th October 2018