



Delegated Report

Householder Planning Application

Planning Application No: 20230622

Location: 57 Sun Lane Gravesend Kent DA12 5HQ

Description: Erection of roof dormer in side elevation, conversion of roof space into habitable rooms and rear side infill extension at ground and first floor with alterations to existing ground floor shopfront elevation.

Applicant: Mr Ghag Benning, Aberforth Ltd.

Submitted Documents/Plans

Application Form
(01)001 Rev A – Location/Site Plan
(01)100 – Block Plan
(01)100 – Proposed Block Plan
(01)200 – General Arrangement Plans – As Existing
(01)300 – Elevations & Section – As Existing
(01)600 – General Arrangement Plans – As Proposed
(01)700 – Elevations & Section – As Proposed
Design and Access Statement

Relevant Planning History

Reference	Description	Decision	Decision Date
20230114	Erection of roof dormer in side elevation, conversion of roof space into habitable rooms and rear side infill extension and alterations to existing ground floor shopfront elevation.	Permitted	04.04.2023
20220567	Application for a determination pursuant to Article 3, Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as to whether Prior Approval is required in respect of the proposed change of use of the ground floor unit (Class E Commercial and Business Services) to a single 4 bedroom dwelling incorporating the existing first floor flat.	Prior Approval Required and Approved	21.07.2022
19890761	Change of use of the ground floor from retail to a hot food takeaway, installation of a new shop front and construction of an external duct on the rear elevation.	Refused	25.10.1989

Development Plan

Gravesham Local Plan Core Strategy (September 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)

- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2021) 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 (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

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

Supplementary Planning Guidance

- SPG2 – Residential Layout Guidelines (2020).
- SPG4 – KCC Parking Standards (2006).
- Householder Extensions/Alterations Design Guide (2021)
- Technical Housing Standards – nationally described space standard (2015);

Consultations, Publicity and Representations

Consultees

Ward Councillors: No response received.

GBC Highways Officer: *There are no highway implications, the number of bedrooms remains the same. No objections.*

Neighbouring properties

The final date for comments to be submitted for this application ended on 14th July 2023.

8 surrounding properties were consulted and 0 comments were received from members of the public.

Officer's Analysis

Site Description

This application relates to a mid-terraced 4-bedroom house as approved under 20220567. The site is in an urban, residential area.

Permission to use this property as a dwellinghouse was granted only by virtue of Class MA, Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015. As such the dwellinghouse no longer benefits from permitted development right falling under Class A, Part 1, Schedule 2 of the Order.



Image of Front Elevation of row of terraced buildings.

Principle of Development

This application is located inside the Urban Boundary, where alterations and extensions to residential buildings are generally acceptable in principle as per Policy CS02: Scale and Distribution of Development. However, all other relevant matters should be considered. In this instance, the main points to consider would be the potential impact on; Visual Amenity (Design, Character and Appearance), Amenity of Future Occupiers and Residential Amenity of neighbours.

It should be noted that this application reflects the development approved under planning reference 20230114 with one exception. This application includes the proposed erection of a first-floor rear extension. The internal layouts are also altered.

For consistency, where still relevant, elements of the assessment made under 20230114 will be repeated within this assessment.

Design, Character and Appearance

Looking at the wider vicinity, dormer extensions are evident in the area. However, these are generally rear facing dormers. But a rear facing dormer is not possible on this dwellinghouse given that it is gable ended to the front and rear making the only potential roof extension from the side pitch. It is noted that there is an existing side dormer to 55 Sun Lane, however this is set behind the existing chimney stack and there is no visibility from the pedestrian perspective.

The proposed dormer would also be set back in a similar position to the neighbouring dormer, but it does not benefit from obscuration by a chimney. However, it is likely that the dormer would have limited, if any visibility from the streetscene in such a position. The scale of the dormer is not excessive, it would be set in from the front and rear, up from the eaves and down from the ridge, appearing subservient in scale. Of some concern is the large blank façade of the dormer which as per paragraph 10.8 of the Householder

Extensions/Alterations Design Guide (2021). However, given the existing context, where the dormer would not be highly visible and that the addition of a window would potentially face the neighbouring window, raising other issues such as direct overlook and potential safety implications, from a practical perspective, the addition of windows on this dormer would not be of significant benefit to the overall enhancement of the proposal.

The proposed infill extension at single storey would be a minor increase in scale and bulk, but would not extend the depth of the building. It would also result in a first-floor extension above resulting in a flat roof rear projection of similar height and depth to that of the adjoining property. Flat roof extensions at first floor level are not appropriate given the harsh interruption it creates and lack of reflectivity to the main dwellinghouse. It is noted that the neighbouring property has a similar extension. However, this was approved in the 1970's where planning legislation and circumstances would have been different. Simply because poor design has been allowed historically nearby should not provide a precedent for further poor design.

It is considered that on balance the proposed development would result in a first floor development of poor design roof form which would result in significant harm to the design and character of the subject dwellinghouse, and the wider area.

The altered frontage would be appropriate to the current residential use of the building and would reflect changes made to neighbouring properties in the area.

On balance, the proposed development would **NOT** comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF (2021) in terms of design, character and appearance.

Amenity of Future Occupiers

The NPPF (2021) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The impact on amenity is also considered with regard to the criteria with Policy CS19 of the Core Strategy, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land. The impact on neighbours will be assessed in the next section of the report.

The existing dwellinghouse contains four bedrooms. This number of bedrooms would be unchanged as a result of the extensions and alterations.

The resultant rooms meet the required minimum space standards and would continue to have adequate rear garden depth and area as per SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020.

Neighbouring Amenity

55 Sun Lane

This neighbour is located to the north and is attached. The below image of the rear elevation shows the relationship with this neighbour. In particular, it shows the two-storey wall which would obscure this extension extension from the perspective of this neighbour and therefore reduce any potential overbearing impacts.

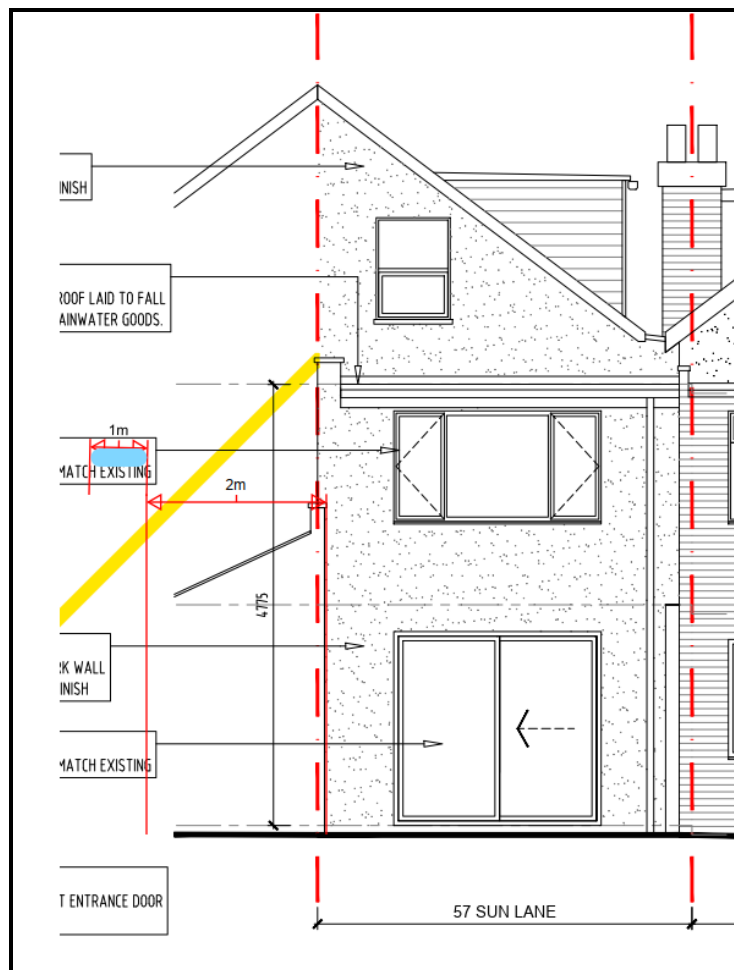
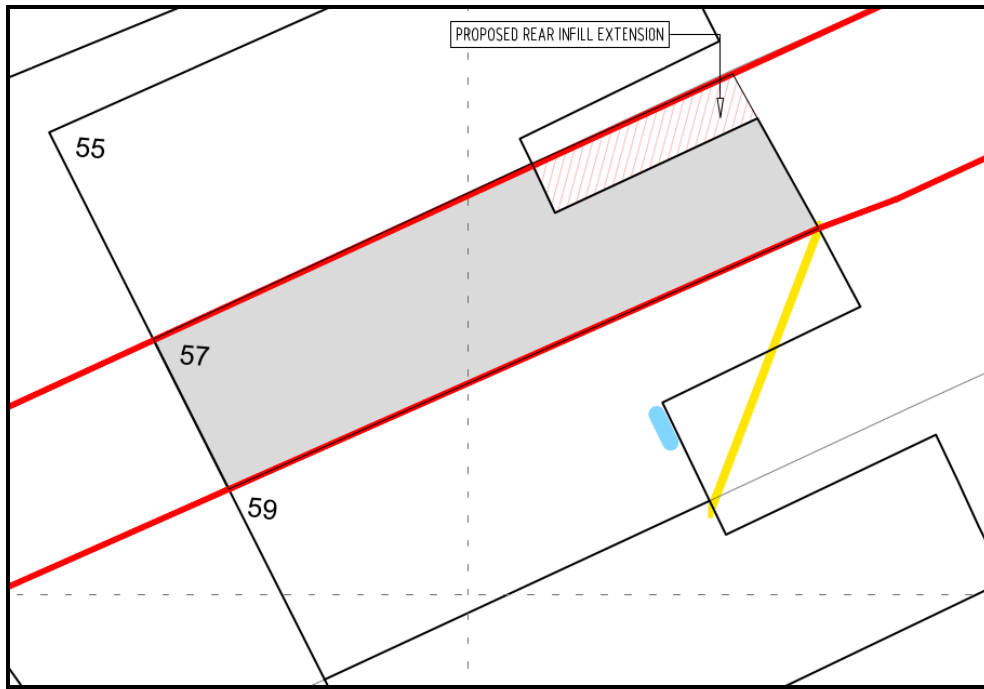


Given the position of the proposed dormer there is likely to be some impact on the neighbour's amenity. However, the impact is likely to be on the obscured windows serving their dormer. Given that the proposed dormer contains no new openings, increased overlook is not a concern. There is some potential implication in terms of overbearing bulk on the neighbour. But given the position of the dormer and its scale it is considered it would likely not result in significant overbearing bulk on the neighbours dwellinghouse as a whole. No neighbour representations have been received.

59 Sun Lane

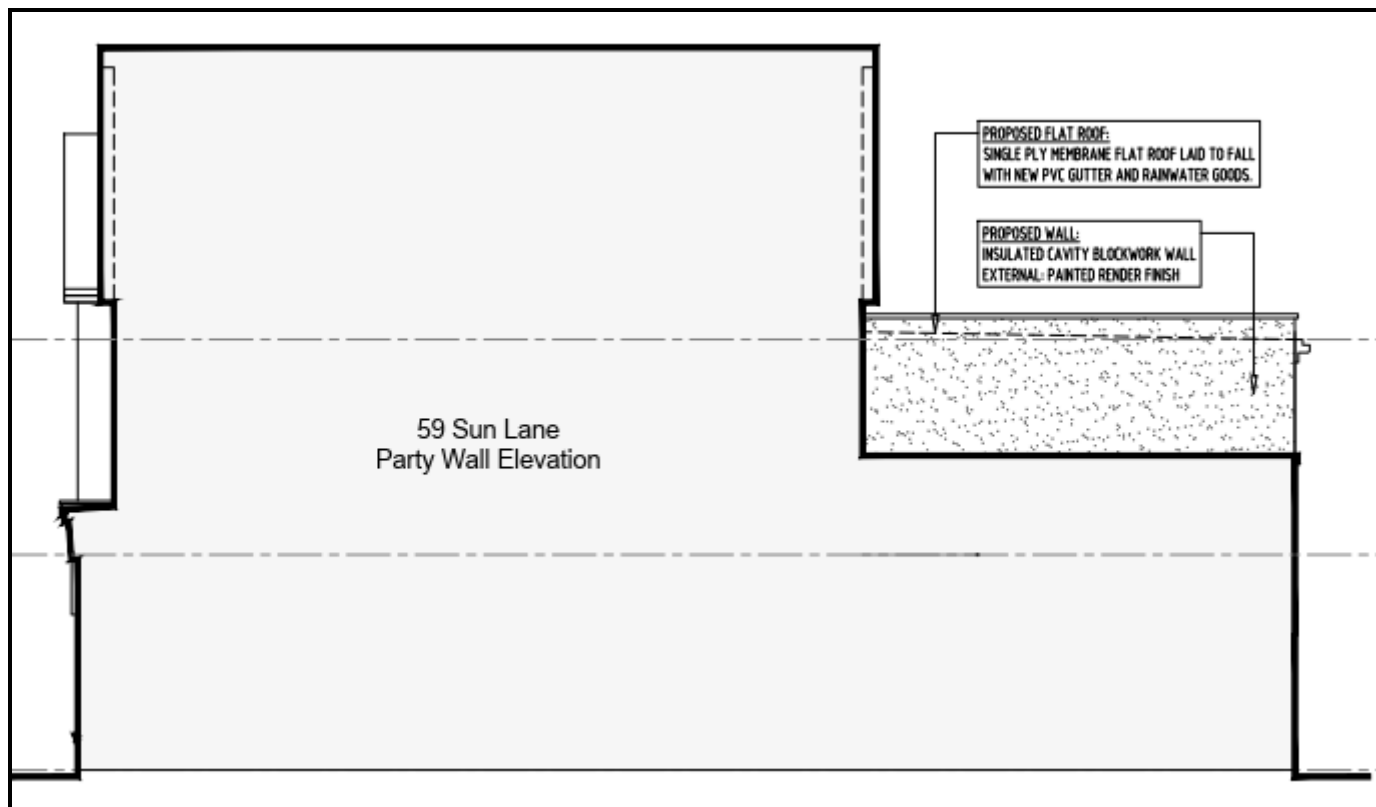
This neighbour is located to the south and is attached. The proposed dormer would be located on the northern roof slope and would have little impact on this neighbour.

The proposed first floor rear extension does raise concerns regarding potential overshadowing to this neighbours first floor rear window, which based on their property history, appears to serve a bedroom. Therefore, a 45 degree test has been undertaken as shown on the following images.

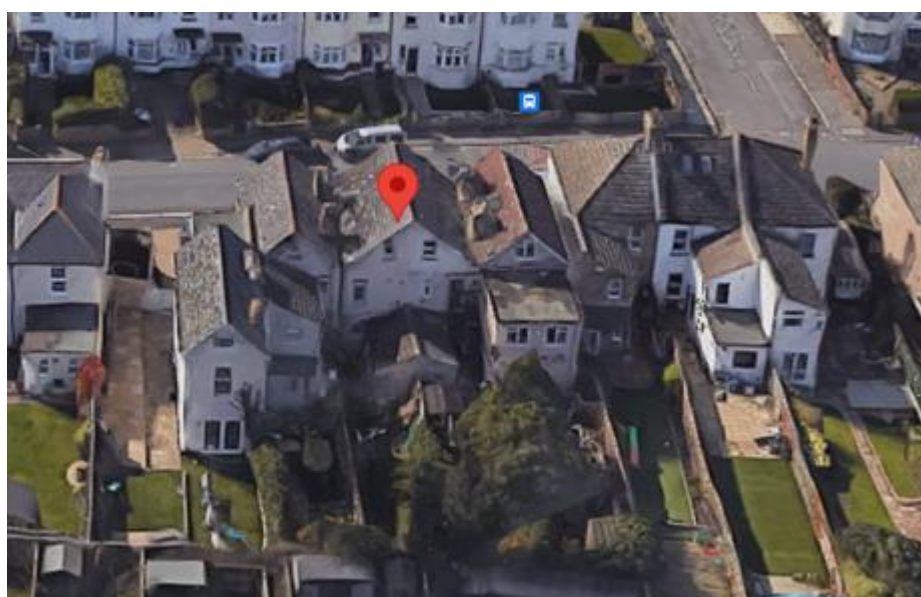


The blue line indicates approximate window position on the first floor and the yellow line indicates the 45 degree line from the edge of the proposed extension. As shown above on the rear elevation, the proposed first floor extension would pass the 45 degree test and would not result in significant overbearing bulk to this neighbours first floor bedroom window.

In terms of promity and bulk, the proposed party wall side elevation as proposed (included below, not to scale), shows that the extension would be 2 metres above this neighbours single storey rear projection and no deeper. It would result in a small amount of additional bulk at the boundary. However despite the small increase, given its location and resutant extensive height in this position, it would likely have an overbearing impact on this neighbour.



The below image taken from Google Earth shows how the first-floor rear extensions to either side have resulted in a tunnelling effect to the subject dwellinghouse and for its neighbour also bounded by a first-floor rear extension. The proposed development would exacerbate this harm for 59 Sun Lane, resulting in overbearing, bulk immediately the shared boundary which would create an enclosed and oppressive presence upon the rear elevation of this neighbour's property. It is considered an unneighbourly form of development.



Given the scale, position and design of the proposals, there would be no overbearing impact on this neighbour. There would also be no significantly increased level of overlooking.

The proposal is therefore considered **NOT** to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Highways & Parking

Given that the parking provision nor number of bedrooms would change as a result of this development. There are considered to be no highway implications for assessment.

The development in terms of highways and parking would be in accordance with paragraphs 110 to 113 of the National Planning Policy Framework (2021), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014 subject to further details of cycle parking provision.

Conclusion & Recommendation

The proposed development by reason of its scale, poor, design, and layout would result in significant harm to the character of this area and would as a result fail to comply with the requirements of the Householder Alterations/Extensions Guide, Policy CS19 (Development and Design Principles) of the Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework (2021) in terms of design, character and appearance.

By virtue of the excessive depth and parapet walls to the proposed first floor rear extension would result in harm to the living environments of future occupants of the neighbouring property at no. 59 Sun Lane. The position, scale and depth of the addition would result in overbearing, enclosing and oppressive nature to the rear elevation of this neighbours property. The proposal would therefore for an unneighbourly form of development and fail to provide a high standard of amenity for neighbouring's sites which conflicts with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 126 and 130 of the National Planning Policy Framework 2021.

The proposed development, subject to condition would comply with all relevant national and local planning policies. The recommendation is therefore to refuse this application.

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

Case Officer:	Ms Lisa Williams	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	10 th August 2023	Dated:	11 August 2023