



Delegated Report

Householder Planning Application

Planning Application No: 20230440

Location: 33 Milton Hall Road Gravesend Kent DA12 1QN

Description: Demolition of existing garage and part demolition of existing single storey extension and erection of single storey side and rear extensions.
Construction of a vehicular access and laying out of the front garden as hardstanding.

Applicant: Mr & Mrs Goodayle

Site Visit Date: 22 June 2023

Submitted Documents/Plans

Householder Planning Application form;
Drawing no. 01 Existing ground floor layout and elevations;
Drawing no. 02 Existing and proposed block and parking plans;
Drawing no. 02A Proposed ground floor layout and elevations; and
Drawing no. 03 Site location plan.

Superseded Documents/Plans

Householder Planning Application form.

Relevant Planning History

Reference	Description	Decision	Decision Date
20221090	Demolition of existing garage and part demolition of existing single storey extension and erection of single storey side and rear extensions. Construction of a vehicular access and laying out of the front garden as hardstanding.	Refused	06.12.2022
20130898	Demolition of existing extension and erection of single storey rear extension to form enlarged kitchen/dining room.	Permitted	21.01.2014

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

- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- TC7 – Other Archaeological Sites

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)

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

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – nationally described space standard (2015)
- SPG 4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

GBC Environmental Protection Team (Regulatory Services)

No objection. The following conditions/informatives are recommended:

Code of Practice on Construction and Demolition: Please apply as appropriate to minimise the impact of noise and dust during the demolition and construction works on neighbouring premises.

Smoke Control Informative: The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Drainage/sewerage informative: The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

GBC Highways Officer

As presented this application raises some concern. Drawing number 02 Block Plans As Existing & As Proposed states the car parking hardstanding will be laid on a permeable sub-base or laid to fall to drain to

soakaway a minimum of 5 metres from buildings.

Building Regulations do not permit soakaways within 5 metres of a building or road so any soakaway would have to be in the rear garden,

3.25 Infiltration drainage is not always possible. Infiltration devices should not be built:

- a. within 5m of a building or road or in areas of unstable land (see Planning Policy Guidance Note 14 Annex 1);

Building Regulations 2010 Approved Document H.

The hardstanding should therefore be either changed to either a porous paving installed in accordance with the manufacturer's specification, or the drainage should be conditioned to ensure a suitable provision is installed.

Providing the hardstanding and extended carriage crossover are provided before any other works are implemented to replace the lost garage, I have no objections to the garage being demolished and the side extension constructed. However, as cycles could be stored in the garage, suitable provision should be made for the storage of cycles at the rate of one cycle per bedroom to comply with SPG4 (Kent and Medway)

KCC West Kent Public Rights Of Way Officer

Public Rights of Way NGX23 lies to the west of the site. The route may be affected by the application, and I therefore enclose a copy of the Public Rights of Way network map showing the definitive line of this path for your information.



It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

Neighbouring properties

The application was publicised by a site notice, newspaper advertisement and to four neighbouring properties by letter. No representations have been received.

Officer's Analysis

Background

Planning permission was refused in December 2022 for a very similar development to that proposed here (reference 20221090). The grounds of refusal were as follows;

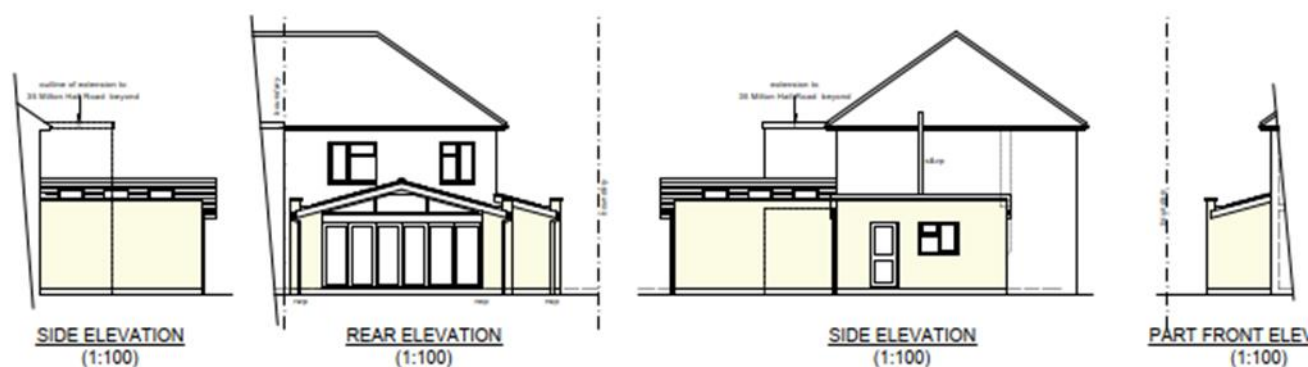
1. *The side and rear extensions are unacceptable, in design terms, by virtue of the limited space*

between the flank wall of the host property and no. 31 Milton Hall Road, the side extension which would create a terracing effect. The excessive depth of the rear extension combined with the pitched roof rising above the first floor windows sills and parapet walls the development is also considered an over-dominant addition to the rear wall. As a result, the proposed side and rear extensions would harm the character and appearance of the surrounding area and the host property failing to comply with the requirements of CS19 of the Core Strategy 2014, paragraphs 10.2 and 10.4 of the Householder Design Guide SPD (2021) and paragraphs 126 and 130 of the National Planning Policy Framework 2021.

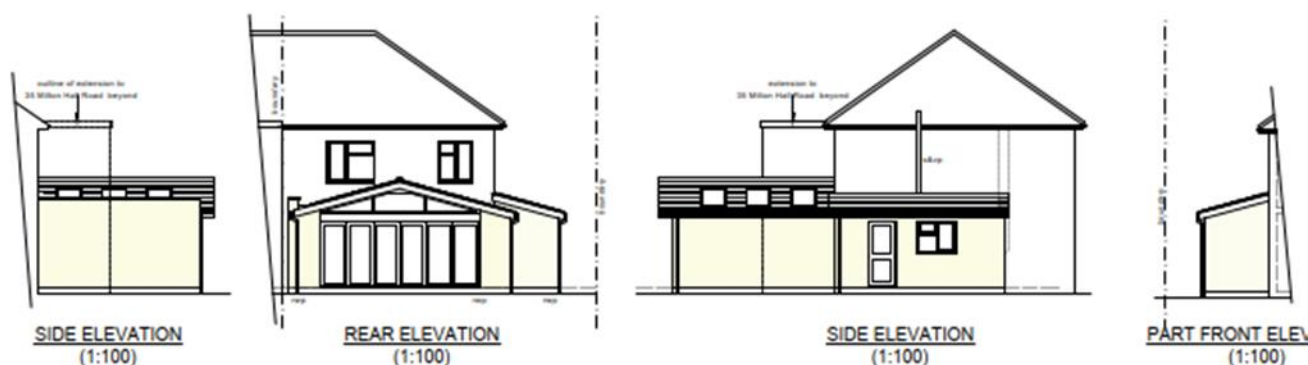
2. By virtue of the excessive depth and parapet walls to the proposed single storey rear extension would result in harms the living environments of future occupants of both neighbouring property at no. 25 Milton Hall Road. The ground floor windows would experience a loss of light and overbearing impacts. The proposal would therefore 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 current proposal has been amended to remove parapet walls from the southern side of the rear extension and the side extension but the rest of the proposal is the same;

20221090 proposal:



Current proposal:



Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

In relation to single storey rear extensions, the Householder Extensions/Alterations Design Guide (2021)

sets out that they should not dominate the original property (extensions to extensions will not generally be supported); they should not rise above the window cill level of any first floor windows; they should not be excessive in height, especially where they are greater than three metres in depth; or excessive in width (no greater than the original building). Flats roofs can be acceptable where they are not widely visible and pitched roof designs should reflect the main roof.

In relation to side extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that care is needed when considering the relationship between the proposal and the boundary with the neighbouring property, as the separation between properties can provide access routes to the rear of the property and in some locations be part of the character of the area. In addition, side extensions should appear subservient to the original building; be no greater than half the width of the original building; incorporate roof designs to reflect the main roof; and window designs and proportions to reflect those existing and local character.

The proposed rear extension would be an extension to an existing extension with an overall depth of five metres. The proposed roof would be pitched with a ridge that projects slightly above the window cills of the existing first floor windows but the low pitched roof design would reduce the bulk of the extension overall. The proposed floor area would be large, but it is noted that under permitted development, a rear extension with a maximum depth of six metres would be allowable (subject to prior approval). The proposed facing materials would match with the existing building.

The proposed side extension is relatively small and acceptable in design generally but would reduce the gap between the application property and no. 31 Milton Hall Road. The removal of the previously proposed parapet walls has reduced the bulk of the extension and in its context, it is considered that it would not be significantly detrimental to the character of the street scene.

The proposed widened parking area would increase the extent of hardstanding at the application site but the visual impact would be softened by the retention of an L-shaped landscaped area. Provided that the landscaping is conditioned to be retained permanently, then there would be no adverse design considerations for the alterations to the site frontage.

Overall, it is considered that the proposal would be appropriate in design, would not harm the character and appearance of the surrounding area or the host property and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Amenity of Future Occupiers

The proposed development would improve the living conditions for future occupiers and sufficient rear garden area and depth would be retained. As such, the proposal would not be detrimental to the amenity of future occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers and to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution.

The closest residential properties to the application site are nos. 31 and 35 Milton Hall Road (located immediately to the south and north respectively). Nos. 36 and 38 Milton Hall Road are located to the east across the roadway.

Both adjacent properties have sizable rear extensions, with the extension at no. 35 Milton Hall Road having an L-shape over two storeys. The following image illustrates that there are two ground floor windows located close to the boundary with the application site in the rear extension at no. 35. One is located in the rear elevation and one is located in the side elevation (facing the site boundary);



Extract from Google Maps

The proposed extension would have a height of three metres closest to the site boundary and have a depth of five metres. The window in the rear elevation of no. 35 Milton Hall Road would fall within 45° lines drawn from the corner of the proposed extension in both plan and elevation and as such, would experience some detriment to daylight. For the window in the side elevation, the proposed extension would be higher than a 25° line drawn from the centre of the window and as such, would experience some detriment to daylight. Due to the north western orientation of the dwellings, afternoon and evening sunlight would also be adversely affected. However, it is noted that the rear elevation window at no. 35 Milton Hall Road is set forward 2.2 metres and overall, the loss of light to either window would not be so significant as to warrant a refusal of planning permission.

Due to the proximity of the proposed rear extension to the boundary, there would be an adverse overbearing impact on the occupiers of no. 35 Milton Hall Road but this would not be so significant as to warrant a refusal of planning permission.

No windows would face no. 35 Milton Hall Road, therefore there would be no adverse overlooking impacts to the occupiers of that property.

A window and door would be located in the side elevation facing no. 31 Milton Hall Road, but as these would only face a blank wall, then there would be no adverse overlooking impacts.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Parking and Highways

The proposed development would result in the loss of an existing garage at the application site but an existing frontage parking area would be widened, with a new dropped kerb.

No objection has been raised by the GBC Highways Officer, but he has raised concerns regarding the surfacing/drainage for the driveway; that the replacement parking is provided before the garage is removed; and requests the provision of cycle parking to replace the lost garage. However, as sufficient space would be available at the application site to provide cycle parking, should the applicant wish to provide it, then there would be no need to condition cycle parking provision in any planning permission granted. A condition can be attached to any planning permission granted to ensure that the surfacing/drainage for the driveway is appropriate and that the proposed alterations to the parking provision are completed prior to the

removal of the existing garage.

Overall, it is considered that the proposal would make sufficient provision for the parking of vehicles within the site in accordance with the Borough Council's adopted Vehicle Parking Standards and would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994.

Impacts on the Public Right of Way

The comments of the KCC Public Rights of Way (PROW) officer are noted. However, as the proposal constitutes extensions to an existing building, that is located some distance from the PROW, it is considered that there would be no adverse impacts to the alignment or to the use of PROW reference NGX23, which runs adjacent to the rear boundary of the application site. Notwithstanding this, any planning permission granted would have an informative attached, which outlines the advice given by KCC in relation to the Public Right of Way.

Any Other Material Planning Considerations

The application site is located within an area of multi-period archaeological potential. However, as the proposed development is within the confines of an existing residential garden and only a relatively small amount of groundworks would occur, then it is considered that there would be no adverse impacts to archaeology. As such, the proposal would be in line with Policy CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

The application site is located within the buffer zone for the Pine Avenue historic landfill site and due to the potential for ground contamination, a watching brief condition should be attached to any planning permission granted.

The application site is located in a smoke control area. As such, advice regarding smokeless fuels/appliances can be given to the applicant in an informative attached to any planning permission granted.

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Submission and approval of details of the surfacing/drainage for the parking area prior to the removal of the existing garage

Parking area to be provided prior to the removal of the existing garage and retained permanently

Materials to match existing

One metre wide planting strips to be retained permanently

Contamination watching brief

Conclusion & Recommendation

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	04th July 2023	Dated:	4 th April 2023

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