

# Delegated Report

## *Householder Planning Application*

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**Planning Application No:** 20250079

**Location:** 5 Forge Lane Higham Rochester Kent

**Description:** Erection of single storey rear extension and rear dormer; Conversion of loft space into habitable rooms; Formation of frontage parking space and vehicle crossover.

**Applicant:** Mr Hamada Aqlan

**Site Visit Date:** 20 March 2025

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### Submitted Documents/Plans

Householder Application for Planning Permission form;  
Drawing no. TAB/06/46E Existing and proposed block plans;  
Drawing no. TAB/06/80 Existing elevations;  
Drawing no. TAB/06/85 Existing ground floor layout, roof plan and rear elevation;  
Drawing no. TAB/06/86 Location plan and driveway surfacing details;  
Drawing no. TAB/06/103 Rev D Proposed elevations;  
Drawing no. TAB/06/205C Proposed first floor layout and roof plan;  
Drawing no. TAB/06/207C Proposed site layout;  
Drawing issue register dated 01 April 2025;  
Letter from the agent dated 27 January 2025 (crossover);  
Letter from the agent dated 27 January 2025 (loft and annex);  
Letter from the agent dated 10 February 2025;  
Letter from the agent dated 07 March 2025; and  
Letter from the agent dated 01 April 2025.

### Superseded Documents/Plans

~~Drawing no. TAB/06/46D Existing and proposed block plans;~~  
~~Drawing no. TAB/06/103 Rev C Proposed elevations;~~  
~~Drawing no. TAB/06/205B Proposed first floor layout and roof plan;~~  
~~Drawing no. TAB/06/206A Outbuilding layouts, elevations, roof plan and section;~~  
~~Drawing no. TAB/06/207A Proposed site layout;~~  
~~Drawing no. TAB/06/207B Proposed site layout; and~~  
~~Drawing issue register dated 27 January 2025.~~

### Procedural issues

Following a request from the applicant, the proposed development was amended to remove a proposed outbuilding. As a consequence, the description of the development was amended from 'Erection of single storey rear extension and rear dormer; Conversion of loft space into habitable rooms; Erection of outbuilding in rear garden; Formation of frontage parking space and vehicle crossover.' to that shown at the top of this report.

## Relevant Planning History

| Reference | Description                                                                                                              | Decision  | Decision Date |
|-----------|--------------------------------------------------------------------------------------------------------------------------|-----------|---------------|
| 20070419  | Erection of single storey rear extension to form dining room/living room, kitchen, utility room and ensuite bathroom/wc. | Permitted | 25.06.2007    |

## Development Plan

### Gravesham Local Plan Core Strategy (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
- T5 – Access to the Identified Highway Network

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

### National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places

### Supplementary Planning Guidance

- SPG 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)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

### Other Relevant Guidance

- Kent County Council Dropped Kerb Guidance and Self-Assessment (2023)
- Gravesham Driveway Dropped Kerb Guidance (Informal Guidance) (2023)
- Gravesham Front Driveway Design Guidance (Informal Guidance) (2023)

## Consultations, Publicity and Representations

### Kent Highways & Transportation

Initial response:

The application proposes a second vehicle crossing and parking space for 5 Forge Lane.

Applications for two access crossings to a single property, or a second access point where one already exists, will not normally be approved for domestic dwellings unless there is strong evidence that it will add significantly to highway safety. Increasing the number of points on a highway where vehicles turn, increases the potential for traffic conflict.

Should the LPA be minded to approve this application, separate approval will be needed from the Vehicle Crossing team at KCC. Please note that all street lamp columns and utility plant needs to be situated at least 1.5m from the location of the top of the ramped kerb of the proposed crossover. Any street furniture, lamp columns and utility plant within 1.5m must be relocated at the expense of the applicant. There may be potential on the site to widen the existing access to create an additional parking space, although pedestrian visibility splays for any new or amended access will need to be provided.

Until further information is provided, I wish to lodge a holding objection to this application.

Second response:

Additional information has been submitted to support a second vehicle crossover at the application site.

I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.
- Provision and maintenance of 2 metres x metres pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6 metres above footway level, prior to the use of the site commencing.
- Use of a bound surface for the first 5 metres of the access from the edge of the highway.
- Provision of measures to prevent the discharge of surface water onto the highway.

Please note that all street lamp columns and utility plant needs to be situated at least 1.5m from the location of the top of the ramped kerb of the proposed crossover. Any street furniture, lamp columns and utility plant within 1.5m must be relocated at the expense of the applicant.

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: [www.kent.gov.uk/roads\\_and\\_transport.aspx](http://www.kent.gov.uk/roads_and_transport.aspx) or telephone: 03000 418181) in order to obtain the necessary Application Pack.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do

not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in 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 the relevant 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.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-andtechnical-guidance>.

Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

#### Higham Parish Council

Our councillors feel there is a risk of this property becoming overdeveloped - increasing the number of bedrooms and increasing the parking requirements – the property could become a 5-bedroom house. If this planning application is approved, it could set a precedent to other properties in the village.

#### Dickens' Country Protection Society

Initial response:

The Society notes this is a sloping site. There is no section drawing to show the relative levels or details of the proposed retaining wall. It is noted from the floor plan that the proposed annex is self-contained. If consent is granted, the Society would suggest that conditions are imposed to control any occupation separate from the main dwelling.

Second response:

The Society would normally register an objection to an application which included a self contained annex, since annexes may be part of an attempt to establish an additional dwelling on the site. The Society also recognise that withdrawing permitted development rights to contain the use is not always supported on appeal and controlling annexes can be problematic.

The preferable solution to a space problem is normally an extension that can become part of the main dwelling when it is needed as an annex. In this case the gradient of the site may be a factor.

In the application the building is not described as an annex, but an 'outbuilding' which it appears is intended for separate residential use. There is no further explanation. The Society is not party to any communications between the authority and the applicant which may have clarified the position.

In this situation, the Society would suggest it may be appropriate for the authority to grant consent for the extension and refuse consent for the outbuilding on the base that the outbuilding has the potential for residential occupation separate from the main dwelling.

There are precedents for dividing applications.

#### Ward Member comments (Councillor Pearton)

I have received communications from several Parishioners within my Ward regarding objection to this Application.

Having now reviewed the Application myself I can concur with the many comments received. It would appear that this proposal is over-development in the area compared to its neighbours. It would detrimentally interfere with the privacy of neighbouring properties both adjoining and to the rear for residents in The Braes behind.

I am also concerned regarding the purpose of the Annex. The proposed development already substantially would increase the size of the property and cannot see the purpose of an ancillary annex in addition.

There are also concerns to consider regarding the parking which would suggest more occupancy than currently hence the request for frontage parking and vehicle crossover. I concur with the findings of KCC's Department of Highways & Transportation.

Therefore, for all those points raised and the objections already lodged, I would like to comment that I feel this application should be considered for refusal.

#### Neighbouring properties

The application was publicised to six neighbouring properties by letter. Seven representations (all objecting) have been received and are summarised as follows;

- Overdevelopment of the property.
- Unbalanced and oversized additions to the rear of the dwelling, which are not subservient.
- The proposed outbuilding would not be pleasant to view from neighbouring properties.
- Adverse overlooking impacts to the garden and windows at no. 30 The Braes from the east facing dormer window, impinging on Article 8 of the Human Rights Act.
- Adverse overlooking impacts to the garden and windows at no. 28 The Braes from the dormer.
- The proposed extension is large and would adversely affect daylight and outlook at no. 7 Forge Lane.
- Adverse overlooking and environmental impacts from the proposed outbuilding.
- Adverse noise impacts from the proposed annex.
- Lack of clarity regarding the use, elevations, height and functions of the proposed outbuilding.
- There is already a large structure in the garden.
- Works to facilitate additional parking on the site frontage have already been undertaken. They do not contribute positively to the street scene.

It is noted that three representations are from the same occupier.

The overall consultation period expired on 01 April 2025.

## Officer's Analysis

### Design, Character and Appearance

Paragraph 135 of the National Planning Policy Framework 2024 (NPPF 2024) sets out various design requirements and includes the need for the development to add to the overall quality of an area; be visually attractive; and be sympathetic to local character, including the surrounding built environment. Paragraph 139 of the NPPF 2024 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

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.

The proposed development would involve the erection of a single storey rear extension and a rear dormer. In relation to rear roof extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that proposals should be set away from the gables, hips, eaves and ridge of a property; be lower than the existing ridge line and retain the original ridge line treatment; that dormers should not overwhelm the roof slope within which they are placed; and that windows should reflect the position, design and character of existing windows on the host building.

In relation to single storey rear extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that they should not dominate the original property in terms of depth (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.

The proposed rear dormer would be a sizable addition to the rear roof slope, extending beyond the highest parts of the side roof slopes and would be in line with the ridge of the front part of the roof. It would also result in the existing hipped roof on the rear elevation becoming a gable end. As such, there would be a significant increase in the size and bulk of the roof at the rear of the building. In addition, the proposal would result in an extensive area of flat roofed, two storey extension on a property that has a pitched roof. The proposed dormer would be unattractive and out of character with the existing building and would not appear subservient to it and as such, the rear dormer would be detrimental to the character and appearance of the building.

The proposed single storey rear extension would add some 3.7 metres depth to the rear of the ground floor, across the whole width of the building. The extension would project well beyond an existing rear extension, resulting in an overall increase in depth above the original rear wall of the dwelling of some 8.1 metres. Whilst it is noted that the proposed extension would have a flat roof, the overall increase in built form would be significant and the proposal would not appear subservient to the building.

Whilst it is noted that the proposed rear alterations would not be widely visible in the surrounding area and the proposed external facing materials would match existing, the combined effect of the proposed development at the rear of the dwelling would represent an overdevelopment of the dwelling. It should be noted that the application property was originally a modest, two bedroom, bungalow, which as a result of the proposed development, would become a two storey, five bedroom dwelling.

It is noted that the adverse design concerns highlighted above are shared by local residents, the Ward Councillor and Higham Parish Council.

Whilst it is noted that other properties in the vicinity have quite sizable extensions, dormers etc, these do not provide a justification for the significant extent of the proposal at the application site, because each planning application must be judged on its own merits, in accordance with current planning policy.

Most notably, the roof alterations at no. 9 Forge Lane (approved under planning permission reference 19980209) are of a similar design to the current proposal. However, they were approved under a different policy framework and most importantly, prior to the adoption of the Householder Extensions/Alterations Design Guide (2021). Indeed, it is considered that the roof alterations at that property illustrate the adverse visual impacts that would result, if planning permission was granted for the proposed development at the application site;



Site visit photograph March 2025

The extent of the flat roofed, two storey extension at no. 9 has resulted in an unattractive, bulky addition to the original building, which is not subservient or well designed and is contrary to current design guidance. As such, this existing development at no. 9 Forge Lane does not provide a convincing justification for the development that is currently proposed.

The proposed development would also involve the formation of a frontage parking space and new vehicle crossover. In relation to frontage parking, the GBC Front Driveway Guidance sets out that account will be taken of the need for off road parking provision and a number of other considerations. These include that the hardstanding should be proportionate to the size of the dwelling and car parking standards and should avoid paving over a significant area of the frontage. That soft landscaping should be provided in all spaces not defined as parking or turning areas and proposals should avoid removing existing trees or established hedges. The design must avoid cars overhanging the pavement, gates and water run-off to the public highway and include permeable paving and visibility splays.

It is noted that the site frontage has already been subject to development work, which would require planning permission in itself. The following images highlight the changes that have been made without the benefit of planning permission;



Google street view May 2023



Site visit photograph March 2025

The works undertaken appear to be generally in line with the proposed development except that a block paved finish has not been put in place and some of the retaining walls/steps appear to be lower in height than that shown on the submitted drawings. At present the site frontage is laid with gravel. The works appear to be a breach of planning control and should planning permission be refused for this application, the existing frontage works will be brought to the attention of the GBC Planning Enforcement Team.

The proposal does not illustrate any proposed soft landscaping in the front garden and it would appear that the whole frontage would be hard surfaced (either with block paving or gravel) with no front boundary treatment. As illustrated in the photographs above and as highlighted by a local resident, the loss of the original grassed area and front boundary wall has undermined the verdant nature of the site frontage and has been detrimental to the character and appearance of the application property and to the visual amenities of the surrounding street scene

The application site is located in the Higham Arable Farmlands Landscape Character Area (LCA) and as such, Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 is relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment will be taken into account in determining applications. In relation to the Higham Arable Farmlands LCA, this document states that the overall condition of the landscape is poor and that it has moderate sensitivity. It recommends that the key landscape elements in poor condition should be restored and that the whole area should be safeguarded as a prominent landscape feature in the wider landscape.

The application site is located in a village and the proposed development would be within an existing residential curtilage. The proposal would result in an increase in the amount of built development but would not adversely affect the overall landscape character of the surrounding area. As such, it would be in line with Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Overall, the proposal would be an overdevelopment of the application property, which would add excessive size and bulk to the rear of the building, would not be subservient to the existing dwelling and would undermine the verdant nature of the site frontage. As such, the proposal would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), to paragraph 135 of the NPPF 2023, to the Householder Extensions/Alterations Design Guide (2021) and to the GBC Front Driveway Guidance 2023.

#### Amenity of Future Occupiers

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 its occupants. In this regard, the Nationally Described Space Standards (NDSS) and the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The proposed bedrooms would exceed the minimum floor area requirements for a double bedroom in the Nationally Described Space Standard (2015) and would be acceptable.

The proposed development would result in a reduction in the size of the rear garden at the application site but sufficient rear garden area and depth would be retained. As such, the proposal would be in line with the Residential Layout Guidelines (June 2020).

The proposed development 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. In this regard, the Borough Council's adopted RLG are relevant.

The closest residential properties to the application site are nos. 3 and 7 Forge Lane (located to the north and south respectively). Nos. 28 to 32 The Braes are located to the east and Higham Library, Villa Road is located to the west, across the roadway.

It is noted that local residents and the Ward Councillor have raised concerns regarding the proposal's adverse impacts to residential amenity, including overlooking and overshadowing impacts to neighbouring occupiers. In relation to overlooking, a reference to a breach of Article 8 of the Human Rights Act 1998 has been made.

The proposed development would introduce a number of new windows to the application property. The RLG set out that privacy distances between facing windows should be met, in order to prevent overlooking. A privacy distance of 21 metres is required for facing windows where there is no private garden area in between and a privacy distance of 26 metres is required where a private garden is within the field of view.

The proposed rear dormer window (to a bedroom) would have a privacy distance of some 37 metres to the rear elevation of no. 30 The Braes (which is the closest dwelling at the rear) and as such, it would not cause any adverse overlooking impacts.

The side windows in the proposed rear dormer (to a hallway and a bedroom) would have a sill height of less than 1.7 metres and have the potential to cause adverse overlooking impacts to neighbouring occupiers. However, due to the non-habitable nature of a hallway, these impacts would not be significantly detrimental to the occupants of no. 3 Forge Lane. To mitigate the adverse overlooking impacts of the bedroom window to the occupants of no. 7 Forge Lane, a condition can be imposed on any planning permission granted to require this window to be obscure glazed. To prevent any future overlooking to

either neighbour, a condition to preclude the insertion of any new windows or openings in the side elevations of the proposed dormer should also be imposed.

There would be no adverse overlooking from the proposed front roof lights (to a bedroom and dressing room) because the property opposite is a non-residential use.

There are no proposed windows in flank elevations of the rear extension. However, it is noted that on the boundary with no. 3 Forge Lane, there is a low fence. Therefore, in order to prevent any future overlooking, a condition should be imposed on any planning permission granted to preclude the insertion of future flank windows.

Article 8 of the Human Rights Act 1998 gives everyone the right to respect for private and family life, home and correspondence and this right cannot be interfered with except in accordance with the law and where necessary in a democratic society, such as in the interests of the protection of the rights and freedoms of others (amongst other things). Any act infringing on this right must be necessary, reasonable, and proportionate. In determining this planning application, the Borough Council is operating in accordance with planning law, which provides the mechanisms for public authorities and the Courts to balance the rights of the individual against the wider public interest.

In this instance, it is considered that any adverse overlooking impacts would not be so significant as to warrant the refusal of planning permission, that effective mitigation would prevent any loss of privacy and therefore, that any breach of Article 8 of the Human Rights Act 1998 for the affected neighbour would be necessary, reasonable and proportionate.

Due to the design of the proposed development and to the layout and orientation of the surrounding properties, there would be no adverse overshadowing or overbearing impacts to the occupiers of the surrounding dwellings.

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

Paragraph 115(b) of the NPPF 2024 requires new development to ensure that safe and suitable access can be achieved for all users and paragraph 116 sets out that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety.

Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review (1994) require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

Saved Policy T5 of the Gravesham Local Plan First Review (1994) requires new accesses to be in an acceptable location and to an acceptable standard and to not give rise to danger.

According to the Borough Council's adopted Vehicle Parking Standards, a four or more bedroom dwelling should have three vehicle parking spaces and according to the KCC Dropped Kerb Guidance and Self-Assessment (2023) document, parking spaces located perpendicular to the roadway should be a minimum of 2.4 metres (width) by 4.8 or 6 metres (depth). Six metres depth would be required if the space is in front of an access door or garage. However, it is noted that Kent Highways & Transportation have provided more recent guidance (as yet unadopted) that requires a minimum of two spaces to be provided for a four or more bedroom property in a village location.

The application property has three bedrooms and on-site parking for one/two vehicles (in an existing garage and on a frontage parking space). It is noted that the existing garage does not meet the minimum size for a single garage set out in the Borough Council's adopted Vehicle Parking Standards but the

existing parking space has appropriate dimensions.

The proposed development would result in the building increasing from three to five bedrooms with an additional frontage parking space and dropped kerb being provided. The proposed parking space would be 2.7 metres (width) by 5 metres (depth) and would be in line with the minimum standard. As such, the proposal would provide two/three parking spaces.

It is noted that the application site is located in a relatively sustainable village location, close to local shops and services and a bus route. In addition, on-street parking is available in the locality. Therefore, even if the proposed development would result in a small increase in demand for on-street parking, this would not undermine highway safety.

The application site is located on a classified road (C Class) which is a local distributor route and as such, it is relatively busy. There are no parking restrictions in the vicinity of the application site and it is located close to a bus stop and a crossroads. There is a bollard and a signpost on the pavement in front of the application site, which could adversely affect the accessibility to, and visibility from, the proposed access.

Kent Highways & Transportation originally advised that applications for a second access point (dropped kerb) where one already exists, will not normally be approved for domestic dwellings because increasing the number of points on a highway where vehicles turn, increases the potential for traffic conflict. They also set out that an approval would only be forthcoming if there is strong evidence that the proposal will add significantly to highway safety. Lastly, they suggested that there may be potential on the site to widen the existing access to create an additional parking space.

The applicant provided a highways rebuttal statement, which illustrated that the widening of the existing access would not be possible and referred to parking pressures in the vicinity of the application site. However, no highway safety justification was included. Whilst the highways authority has withdrawn its objection based on this rebuttal, they do not identify how the proposal would 'provide strong evidence that the proposal will add significantly to highway safety'.

As a result of the highway characteristics described above and the design of the proposal, reversing onto the proposed parking area, in addition to vehicles reversing onto the existing parking area, is likely to increase the potential for traffic conflict and hazardous manoeuvres, which would impede traffic flows and cause dangers to passing pedestrians and vehicles. As such, the proposed development would be detrimental to highway safety.

Reference to Kent County Council Dropped Kerb Guidance and Self-Assessment (2023) suggests that existing on street parking should be retained. At paragraph 4 the document states;

You may apply for a separate entrance and exit or an additional access point where one already exists, but the general rule is that increasing the number of points on a highway where vehicles turn, increases the potential for traffic conflict. We will assess the site on its own merit and will only be granted if there is no significant impact to on street parking demand.

If your property already has a dropped kerb, we will not approve a second dropped kerb unless there is sufficient space within the boundary of your property to drive a vehicle on and off your driveway in forward gear and in one continuous movement. The minimum measurement of your frontage must be 15m width by 4m depth. Your application will be refused if you do not have sufficient space. Each access will have a maximum of 4 flat kerbs and your existing access may need to be altered to achieve this at your own cost. There will need to be a minimum width of full height kerbs between the two accesses of a minimum of 4.5m.

The applicant has identified that there is a high demand for on-street parking in the area surrounding the application site. Therefore, the loss of on-street parking outside the application site as a result of the provision of a second access would exacerbate existing on-street parking pressures and be detrimental to highway safety.

It is noted that the withdrawal of the Kent Highways & Transportation objection to this proposal was subject to the imposition of various conditions on any planning permission granted. Their proposed conditions relate to the provision and retention of the parking spaces shown on the submitted drawings, the provision and maintenance of pedestrian visibility splays on both sides of the access, the use of a bound surface for the first five metres of the access and the provision of measures to prevent the discharge of surface water onto the highway.

It is noted that the submitted drawings show a 0.8 metre high wall on the southern side boundary of the application site, adjacent to the proposed access. Therefore, the proposal would require amendment to secure the required pedestrian visibility splays. A planning condition could be attached to any planning permission granted to secure an appropriate design and other conditions could be attached to cover the remaining issues raised by Kent Highways & Transportation.

Other issues raised by Kent Highways & Transportation can be brought to the attention of the applicant via an informative on any planning permission granted.

Taking all of the above issues into account, it is considered that the highways benefits of the proposal (the potential for conditions to be used to ensure that the proposed parking area would meet the Highway Authority's design requirements and that the proposed development would make sufficient numerical provision for the parking of cars within the site) would not overcome the negative impacts (the increase in the potential for traffic conflict and hazardous manoeuvres, which would impede traffic flows and cause dangers to passing pedestrians and vehicles). As such, the proposal would be detrimental to highway safety and be contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014), to Saved Policies T1 and T5 of the Gravesham Local Plan First Review November 1994, to paragraph 115(b) of the NPPF 2024, to the Householder Extensions/Alterations Design Guide (2021), to the Gravesham Driveway Dropped Kerb Guidance (2023) and to the Kent County Council Dropped Kerb Guidance and Self-Assessment (2023).

#### Any Other Material Planning Considerations

The application site is located within an area of multi-period archaeological potential and Groundwater Source Protection Zone 3. 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 groundwater or archaeology. As such, the proposal would be in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

The comments of the Ward Councillor, Higham Parish Council, the Dickens' Country Protection Society and local residents are noted and for the most part, the issue they raise have been covered in the above discussion. It should be noted that any comments relating to the proposed outbuilding are no longer relevant because the proposal has been amended to remove this feature. Any other outstanding issues are summarised (in italics) and commented on as follows;

- *There is no section drawing to show the relative levels or details of the proposed retaining wall* – the submitted drawings show retaining walls on the site frontage.
- *If this planning application is approved, it could set a precedent to other properties in the village* - whilst each planning application must be treated on its own merits, the issue of precedent is a material consideration, where the circumstances at other sites are very similar to the application site and where the planning policy framework is consistent. In this regard, it should be noted that nos. 3, 9 and 11 Forge Lane are very similar dwellings to the application property. However, it is acknowledged that each of these has already been subject to some historical extensions/alterations and as such, they are not directly comparable to the current situation at the application site. Therefore, it is unlikely that this proposal would set a precedent.
- *There is already a large structure in the garden* – this is noted.

#### **Conclusion**

The proposed development would have no adverse residential amenity, landscape, groundwater or archaeological impacts and the proposed external facing materials would match existing. However, the proposal would be a poorly designed, overdevelopment of the application site, which would be out of character with the application property and its surroundings and would be detrimental to visual amenity and highway safety.

Overall, it is considered that the adverse impacts of the proposed development attract significant weight and would significantly and demonstrably outweigh the benefits of the proposal. Therefore, following a thorough assessment of the application and all material planning considerations, it is considered that the proposed development cannot be supported.

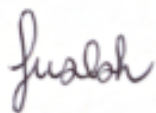
## Recommendation

That planning permission should be refused on the following grounds;

1. The proposed roof alterations would result in a significant increase in the size and bulk of the roof at the rear of the building and would result in an extensive area of flat roofed, two storey extension on a property that has a pitched roof. As such, the proposal would be poorly designed and out of character with the existing building and would not appear subservient to it. Furthermore, the proposed single storey rear extension would not appear subservient to the existing building and would result in a significant increase in built form. The combined effect of the proposed development at the rear of the dwelling would be an overdevelopment of the application site, which would be detrimental to the character and appearance of the application property, to the visual amenities of the surrounding area and would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), to paragraph 135 of the National Planning Policy Framework 2024 and to the Householder Extensions/Alterations Design Guide (2021).
2. The formation of a frontage parking space would undermine the verdant nature of the site frontage, to the detriment of visual amenity and would result in an increased potential for traffic conflict and hazardous manoeuvres, which would impede traffic flows and cause dangers to passing pedestrians and vehicles. As such, the proposed development would be detrimental to the character and appearance of the application property, to the visual amenities of the surrounding street scene and to highway safety and would be contrary to Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (2014), to paragraphs 115(b) and 135 of the National Planning Policy Framework 2024, to the Householder Extensions/Alterations Design Guide (2021), to the GBC Front Driveway Guidance 2023, to the Gravesham Driveway Dropped Kerb Guidance (2023) and to the Kent County Council Dropped Kerb Guidance and Self-Assessment (2023).

Furthermore, that the application site be referred to GBC Planning Enforcement for an investigation into the unauthorised works on the site frontage.

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

|                      |                                                                                     |                     |                                                                                       |
|----------------------|-------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Mrs Kelly Joyce                                                                     | <b>Team Leader:</b> | Mrs Faye Walsh                                                                        |
| <b>Signed:</b>       |  | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 10 <sup>th</sup> April 2025                                                         | <b>Dated:</b>       | 10 April 2025                                                                         |