



Delegated Report

Householder Planning Application

Planning Application No: 20231152

Location: 15 The Rise Gravesend Kent DA12 4BX

Description: Demolition of garage in rear garden and erection of single storey granny annexe with a roof lantern and 2no rooflights.

Applicant: Mrs Nikki Osborne

Site Visit Date: 11 January 2024

Submitted Documents/Plans

- Application form;
- Drawing no. TR/001 – Site Location Plan;
- Drawing no. TR/101 – Proposed Floor Plan, Elevations and Roof Plan;
- Drawing TR/002 – Existing Site Plan; and
- Drawing no. TR/003 – Proposed Block Plan.

Relevant Planning History

Reference	Description	Decision	Decision Date
19760814	Erection of a detached double garage at rear	Permitted	01.12.1976

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

Gravesham Local Plan: First Review (1994)

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

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document (2020)

The Council published in 2020 a Regulation 18 (stage 2) consultation on its proposed Development Management Policies Document, replacing the 2018 Stage 1 version, which will in due course form part of and update the Gravesham Local Plan. Under paragraph 48 of the NPPF, policies in this document may be accorded weight in the decision making process with this varying according to its stage of preparation; the extent to which there are unresolved objections; and the degree of consistency of policy with those in the Framework. As the Development Management Policies Document is at an early stage and the fact that the consultation has only recently concluded, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant policies reflect those set out in the Framework and for the purposes of this application these should be relied on instead.

The following draft policy, '*Proposed Policy RES 3: Residential Annexes*', from the Regulation 18 (Stage 2) Development Management Policies Document (2020) show the direction of travel the Council is going albeit the weight that these emerging policies may be accorded at this stage is very limited.

9.3.8. Planning permission will only be granted for residential annexes within the curtilage of an existing residential property where there is a proven need that cannot be met either within the existing property through adaptation or acceptable extension and:

- there is a functional link with the principal dwelling (i.e. the occupants should be a dependant relative/s);*
- both the annex and principal dwelling are in the same ownership and remain so in perpetuity;*
- the accommodation forms a linked extension to the main dwelling and is capable of being used as an integral part of the dwelling, or forms a separate outbuilding which is in close proximity to and within the curtilage of the principal dwelling, and shares some essential facilities with the main dwelling; and*
- the scale of the annex is subordinate to the existing dwelling and is the minimum level of accommodation required to support the needs of the intended occupant/s; and*
- there is adequate parking and amenity facilities (areas for bin storage, drying clothes, garden space etc.) for the needs of the annex occupants and existing residents; and*
- there is no boundary demarcation or subdivision of garden areas between the curtilage annex and principal dwelling;*

9.3.9. Where planning permission is granted for a residential annex, a planning obligation will be imposed to ensure that the annex retains a functional link with the main dwelling (i.e. the occupants should be a dependant relative(s) and that the annex is retained in the same ownership as the main dwelling and that this remains the case in perpetuity.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed and beautiful 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

Consultees

GBC Highways Officer

This proposal results in loss of parking for the old dwelling whilst creating a demand for parking for the new one which could operate as an independent property. I would therefore recommend refusal due to the reduction of car parking and not complying with guidance. In addition a cycle parking space should be provided for the annex.

Ward Councillor - Cllr Ashendown - This proposal is for a construction of a granny annexe and it certainly looks like it will be occupied. Is this therefore going to be declared as a change of use. My other concern is it will have a bathroom and toilet. Will this be connected to the main sewage outlet. Note – The case officer responded to these questions on 16/02/2024.

Neighbouring properties

5 surrounding properties were consulted – overall consultation expiry date was 28.12.2023 – no responses received.

Officer's Analysis

The application site consists of a two storey semi-detached dwelling situated on the eastern side of The Rise. The property has a detached double garage at the bottom of the rear garden which is accessed down the side of the dwelling. The front garden is laid to lawn with a garden path.

The proposal is for demolition of the existing garage and erection of an annex. The existing garage building is 6.3m in depth, 5.73m in width and has a pitched roof. The proposed annex building would be 8.2m in depth (a 1.9m increase), 8m in width (a 2.2m increase) and would be 2.8m to the top of the flat roof.

Internally there would be an open plan lounge, dining area and kitchen served by sliding doors in the front elevation and a roof lantern, a double bedroom served by a window in the front elevation, a bathroom served by a rooflight and a study served by a window in the north flank elevation and a rooflight. The annex would be occupied by a family member.

The annex would be faced by fibre cement boarding with rubberised flat roof and powder coated aluminium bifold doors.

The existing and proposed block plans are as follows:

- Parking and Highway Safety
- Archaeology

Whether the proposed annex would be ancillary to the main dwelling or a separate independent dwelling

The proposed annex would be sited at the end of the rear garden on the site of the existing garage. The proposal is described as an annex by the agent on the application form. Originally no details had been submitted of who the intended occupier of the annex is but the agent was asked and advised it would be a family member.

Whilst the proposed annex would provide facilities that might allow for independent living, that does not necessarily mean that the accommodation would be occupied independently or become a separate planning unit from the main dwelling. The applicant has applied for an annex and it has been confirmed that the occupier would be a family member who would be likely to share various living activities with the family in the main dwelling. The whole of the site would remain as a single unit and the garden area would be shared and the footprint and floorspace would be far smaller than the footprint and floorspace of the main dwelling.

It is therefore considered that on the basis of the submitted information the use of the site in its entirety would remain for single family occupation and one planning unit. The proposed development would not constitute a separate dwelling and would be an annex to the main dwelling.

Design, Character and Appearance

Policy CS19 (LPCS) requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built, historic and natural environment and integrate well with the surrounding local area. In particular the design of new development should be derived from a robust analysis of local context and character and make a positive contribution to the street scene and the character of the area.

Gravesham's Householder Design Guidance SPD (2021) discusses outbuildings and states that they should not occupy a significant amount of the garden, be subordinate to the main dwelling and should not be prominent or impact on the street scene. In this case the proposed building is not considered excessive in size or bulk and is only slightly larger than the existing garage. Compared to the existing garage it would be only 1.9m greater in depth and 2.2m greater in width; the height of the building has been kept low with a flat roof to a height of 2.8m. The building itself could be constructed under permitted development if it was 300mm less in height or if it was moved so that it was 2m from any boundary it could be built at a greater height than currently proposed. There are other similar shaped outbuildings in the rear of neighbouring gardens in the locality. The proposed building would be faced with fibre cement boarding with a rubberised flat roof and powder coated aluminium bifold doors which are considered sympathetic.

In respect of design, character and appearance the proposal is considered compliant with Policy CS19 (LPCS).

Occupier Amenity

Policy CS19 (LPCS) requires that new development will 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 Nationally Described Space Standards (2015) requires a single storey dwelling with one bedroom for two persons to be a minimum of 50 sq. m.

The internal floor area of the annex would be 56.7 sq.— this exceeds the minimum standard for a 1 bedroom

2 person 1 storey dwelling (50 sq. m) therefore occupiers would have more than sufficient internal space.

The internal room sizes would all exceed the minimum room sizes as set out in SPG2:

	RLG (minimum internal floor area sq. m)	Proposed room size
Combined kitchen/dining/lounge	Lounge/diner (18) + kitchen (7.2) = 25.2	26
Bedroom (double)	11.2	13.7
Bathroom	3.6	3.7
Study	N/A	N/A

The open plan lounge, dining area and kitchen would be served by sliding doors in the front elevation and a roof lantern, the double bedroom would be served by a window in the front elevation, the bathroom would be served by a rooflight and the study served by a window in the north flank elevation and a rooflight. Each room would therefore experience sufficient light and outlook.

In respect of garden area and depth:

Existing garden area = 222 sq. m

Proposed garden area = 191 sq. m

Proposed rear garden depth – 24.8m in terms of total length and 18.4m to garage

Proposed rear garden depth - 24.8m in terms of total length and 16.4 to garage

The garden area and rear garden depth would therefore exceed the minimum standards as set out in SPG2 for a dwelling with four or more bedrooms (100 sq. m for area and 10m for rear garden depth).

In respect of occupier amenity for occupiers of the annex and host dwelling the proposal is therefore compliant with Policy CS19 (LPCS).

Neighbouring Amenity

Policy CS19 (LPCS) requires that new development will 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 annex building would be 2.8m in height. Due to the height of the building and the distance from the neighbouring properties which would be some 9m and 10.5m respectively to nos. 22 & 24 Cimba Wood and then some 14.6m and 14.8m respectively to nos. 13 & 17 The Rise, there would be no impact on those properties with regards overshadowing, loss of light or loss of outlook.

There is a study window in the north flank elevation but this would look out onto the end of the rear garden of no. 13 The Rise so there would be no overlooking of the private garden area and the boundary treatment would prevent any views in any case. The rear and south side elevation would have no openings. The only openings would be in the front elevation facing into applicant's own garden. The distance back to the nearest parts of nos. 13 & 17 The Rise would be some 17m and with the existing boundary treatments there would be no overlooking possible to the windows in the rear of nos. 13 & 17 The Rise. These properties are single storey bungalows with no windows in the roof space, further ensuring no loss of privacy.

It is prudent to note that as stated the applicant could construct a building up to 2.5m in height within 2m of the boundary so the proposed building would be only 300mm greater in height than this. Or alternatively if set in 2m from the boundary they could erect a building of up to 4m in the case of a dual pitched roof or 3m in any other case.

Overall in respect of neighbouring amenity the proposal is considered compliant with Policy CS19 (LPCS).

Parking and Highways

The existing double garage would be removed however, there is ample space on the side drive for approximately three vehicles, therefore the highway ground of refusal as recommended by the Highways Officer cannot be substantiated. In respect of parking and highways the proposal is considered compliant with saved Policy P3 (LPFR).

Archaeology

The site lies within an Area of Archaeological Potential however, it is considered unlikely that this proposal on the site of the existing garage would have a significant below-ground archaeological impact. As such it is considered the proposal is compliant with saved Policy TC7 (LPFR).

Any Other Material Planning Considerations

None.

Conclusion & Recommendation

The proposed development would not constitute a separate dwelling and would be an annex to the main dwelling. The proposal is considered acceptable in respect of design, character and appearance, occupier amenity, neighbouring amenity, parking and highways safety and archaeology.

Recommendation: Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	19 February 2024	Dated:	21 February 2024