

Delegated Report

Planning Application

Planning Application No: 20250642

Location: 23 St Albans Close Gravesend Kent DA12 5SF

Description: Retrospective application for erection of a garage.

Applicant: Mr Chris Cole

Site Visit Date: 07/08/2025

Submitted Documents/Plans

- Application Form
- Drawing No: EX-001 (Site Location Map)
- Drawing No: P-101 (Site Plan Existing and Proposed)
- Drawing No: P-102 (Proposed Garage)
- Drawing No: P-103 (Proposed Site Plan)

Relevant Planning History

No relevant planning history.

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

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2024), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Local Ward Councillors

No comments received.

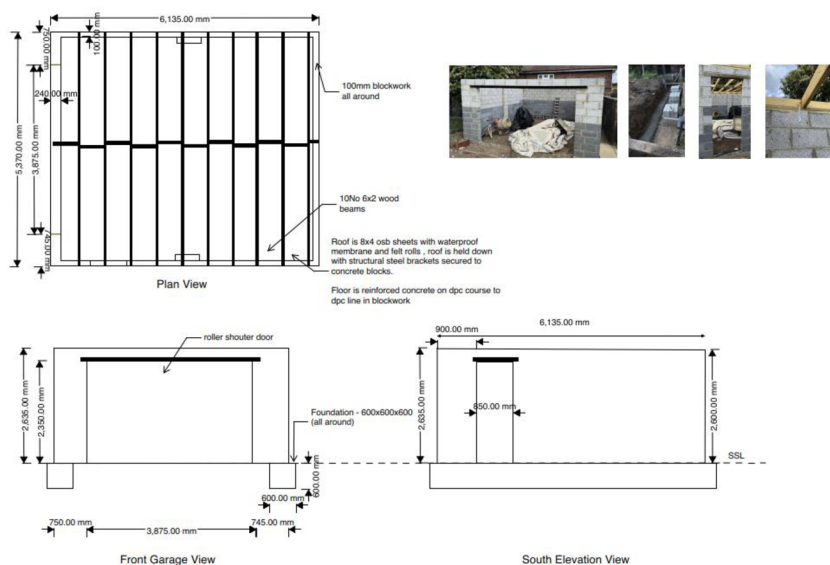
Neighbouring properties

The application was advertised by way of site notice and letters to 5 surrounding properties. The consultation period expired on 26.08.2025 and two supporting comments were received.

Analysis

Proposal

The proposal seeks to retain a partially constructed outbuilding.





EXISTING



PROPOSED

Character and Appearance

23 St Albans Close is a ground floor flat situated within a cul de sac in the urban part of Gravesham. The property benefits a rear access which can be accessed from an offshoot of St Albans Close.



The development currently in place is partially constructed and situated approx. 1.8m from the rear elevation of the ground floor flat. It should be noted that as this property is a flat it would not have Class E Permitted development rights, therefore planning permission would be required. As noted from the submitted application form, the property comprises a Certificate B notice in which the land owner is stated as "Gravesend Council", therefore the applicant will require permission from the Council to develop on its land. As part of the planning process the proposal will be assessed against material planning considerations only and permission from the Landlord i.e. Gravesham Borough Council will be a separate matter.

Below is an extract from the Council's adopted design guidance:

10.15 Outbuilding should not deprive the existing property of adequate private garden space and should be subordinate in scale to the existing dwelling and to the plot. In assessing proposals, the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment.

10.16 As with all extensions, outbuildings should not detract from the character of the area (this is especially important where the outbuilding will be visible from the street) and should be unobtrusively located to the side and rear of the existing dwelling. They should also not have an adverse impact on the amenity of the surrounding properties in terms of noise and disturbance created through access or overlooking / overshadowing of existing properties.

As can be seen from the above aerial image, there a number of properties within the vicinity of which many have what appear to be sheds in place. Many of these structures are located within close proximity to the dwellings, however they do not span across the rear elevation of the dwelling and are generally sited to one side.

The outbuilding as it stands is built so that it is almost as wide as the width of the current dwelling and has a close physical relationship with the dwelling. Visually the outbuilding – due to its close proximity appears as though it is grouped with the main house. From the below images it is evident that the structure has closed in the window of the Ground Floor Flat.



Development should be considerate of neighbouring properties and In this instance the development is an overly dominant and out of character addition as it does not conform with the existing pattern of development. The siting on the plot means also means that the proposal is overbearing to the occupant of the ground floor flat by virtue of its siting and scale and as seen from the above images it does not appear subordinate to the host dwelling.

The proposed development by virtue of its size and siting close to the rear elevation of the main dwelling is an oppressive form of development which lacks subservience and is harmful to the character of the surrounding pattern of development. As such the proposal would therefore be contrary to Policy CS19 (Development and Design Principles) of the Local Plan Core Strategy September 2014, SPD4 – Householder Alterations and Extensions Guidance 2021 and Para 135(b) of the National Planning Policy Framework 2024.

Amenity of Neighbouring and future Occupiers.

Para 135f of the National Planning Policy Framework 2024 places emphasis on the “*creation of places that are safe, inclusive and accessible and which promote health and well-being, **with a high standard of amenity for existing and future users.***”

CS19 of the Local Plan Core Strategy 2014 similarly states:

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.*

Para 10.15 of the Council’s adopted design guidance states:

10.15 Outbuilding should not deprive the existing property of adequate private garden space and should be subordinate in scale to the existing dwelling and to the plot. In assessing proposals, the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment.

The application site is a ground floor flat, in terms of light, outlook and privacy the current outbuilding would not impact these aspects of amenity of this dwelling. Whilst it may reduce views of some parts of the garden, namely directly to the side and rear of the development it would not result a loss of light or outlook, however the resultant useability of the garden area will be considered in the forthcoming section of this report.

No.25 St Albans Close has direct access into their property from the rear garden and the garden is also used by this property.



The resultant garden space equates to circa 134sqm, whilst this falls with the adopted standard is it important to note that should the outbuilding be granted planning permission to remain the resultant area may not be considered to be useable garden space.

The outbuilding as it stands has removed the view of the garden area from the rear window of the ground floor flat, this property will now experience overshadowing and have poor outlook as a result of this development.

In a normal scenario an occupant of a dwelling is expected to be able to have views of a garden area, especially in the instance where they may have young children or an animal using the space. Having these views not only provides a pleasant living environment, it also offers a sense of security for the children/pet which maybe using the garden area.

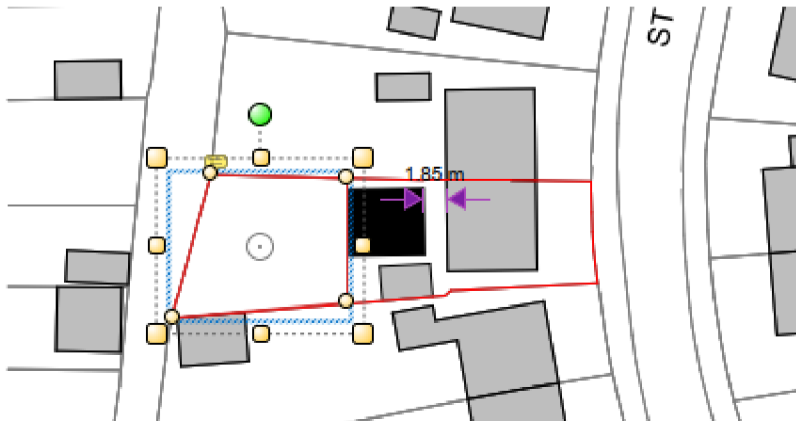
Failure to have adequate views from the main dwelling would mean that the garden could only be used under direct supervision of a responsible person who would need to leave the dwelling.

In a similar circumstance an appeal (Reference 2023/00040/REF) was upheld in favour of the local planning authority (See Appendix 1) in relation to poor quality amenity space whereby the planning inspector stated that:

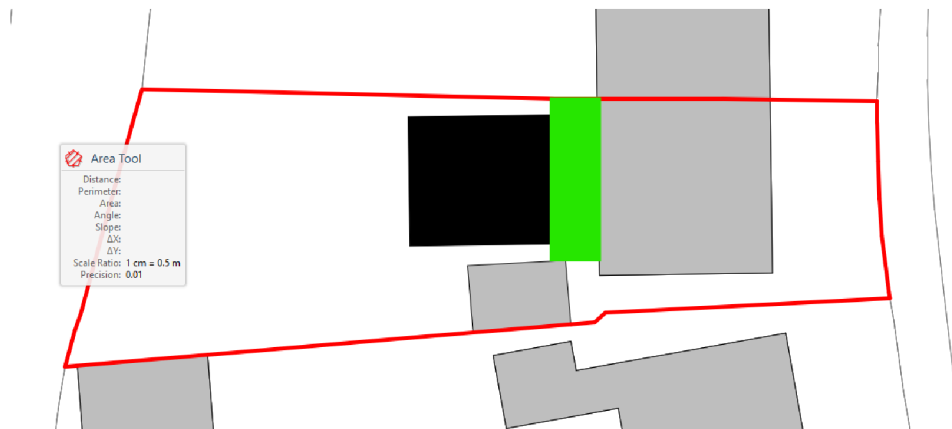
Moreover, the garden is irregular in shape and wraps around the garage. As such, the main garden area would have a much shorter depth and a large section of the garden would be sited behind the garage. Given the modest size and orientation of the garden, it would be impractical to use large sections of the garden as play space or for the drying of clothes, as identified in paragraph 13 of the SPG.

The below image shows the garden area being situated behind the garage and not visible from the ground

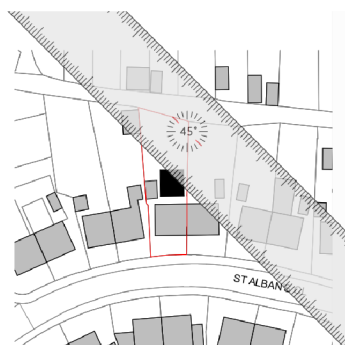
floor dwelling.



The below image shows the extent of the useable garden space highlighted in green.



Below is a 45 degree test on plan from the window of the ground floor flat of the adjoining semi's rear window:



The above demonstrates that the outbuilding has resulted in unacceptable loss of outlook to surrounding occupiers. Due to the units being flats, the windows will serve habitable rooms, such as bedrooms and living areas which should have access to adequate light and outlook.

Due to the path of the sun the neighbouring occupiers would also have limited to no sunlight into their flats which would result in this properties being dark and without sunlight they may also feel cold.

The outbuilding has resulted in an unacceptable loss of light, outlook for neighbouring occupiers and a loss of private amenity space for current and future occupiers. The proposal would therefore fail to provide a high standard of amenity for existing and future users, which would conflict with the requirements of SPD4 – Householder Alterations and Extensions Guidance 2021, SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024.

Parking and Highways

The proposal states that the outbuilding would be used as a “garage”.

Under the adopted standards in SPG 4 - KCC Parking Standards (2006) a parking space should be 5m deep x 2.5m wide, and a preferred garage space for a single car should be 5.5m x 3.6m. The garage internally is a minimum of 5.1m by 5.6m. Therefore the garage space is compliant with the requirements of KCC Parking Standards 2006.

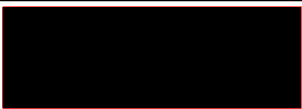
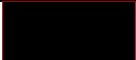
Conclusion & Recommendation

The proposal is recommended for refusal due to the below:

The proposed development by virtue of its size and siting close to the rear elevation of the ground floor maisonette is an oppressive form of development which lacks subservience and is harmful to the character of the surrounding pattern of development. As such the proposal would therefore be contrary to Policy CS19 (Development and Design Principles) of the Local Plan Core Strategy September 2014, SPD4 - Householder Alterations and Extensions Guidance 2021 and Para 135(b) of the National Planning Policy Framework 2024.

The outbuilding has resulted in an unacceptable loss of light, outlook for neighbouring occupiers and a loss of private amenity space for current and future occupiers. The proposal would therefore fail to provide a high standard of amenity for existing and future users, which would conflict with the requirements of SPD4 – Householder Alterations and Extensions Guidance 2021, SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024.

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

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	10/09/2025	Dated:	10th September 2025