



Delegated Report

Application Nos:	20211158 (planning application) and 20211159 (listed building application)
Location:	4 Constitution Crescent, Gravesend, Kent, DA12 1JS
Description:	Creation of a vehicular access and associated hardstanding area in the front garden incorporating new garden steps and pathway.
Applicant:	Mr Robert Allen
Site Visit Date:	Desktop assessment

Submitted Documents/Plans

The applicant has submitted the following in support of the applications:

Drawing no. 2019-02-01 (Existing Plan and Elevations) received 21 September 2021;
Drawing no. 2019-02-02 A (Proposed Plan and Elevations) received 21 September 2021;
Drawing no. 2021-05-01 (Proposed Removal of Existing Soil and Subsequent Repair and Replacement of the Stucco Render to the Exposed Wall) received 21 September 2021;
Design and Access Statement received 21 September 2021;
Supplementary Information (Planting) received 21 September 2021;
Photographs received 21 September 2021;
Application form received 12 October 2021;
OS Plan received 19 October 2021;
Existing Block Plan received 26 October 2021; and
Proposed Block Plan received 26 October 2021.

Relevant Planning History

<u>Application No.</u>	<u>Description</u>	<u>Status</u>	<u>Decision</u>
20190161	Application for Listed Building Consent for the creation of a vehicular access and associated hardstanding area in the front garden incorporating new garden steps, pathway with associated works.	Permitted	12.06.2020
20190160	Creation of a vehicular access and associated hardstanding area in the front garden incorporating new garden steps and pathway.	Permitted	12.06.2020
20110855	Retention of swimming pool in rear	Permitted	24.02.2012

garden.

20110543	Application for Listed Building Consent for the retention of the ceiling and insulating and sound absorbing materials in ensuite bathroom.	Permitted	10.08.2011
20110281	Application for Listed Building Consent for retention of the two waste outlet pipes and three boiler outlets and restoration of existing boiler outlet.	Permitted	12.05.2011
20030970	Application for Listed Building Consent for internal alterations to provide two bathrooms; installation of new front door and three internal doors; re-instatement of kitchen fireplace together with other internal works and refurbishment.	Permitted	30.12.2003
19940427	Application for Listed Building consent for the redecoration of the front facade of the terrace.	Permitted	17.10.1994
19890186	Application for an Established Use Certificate in respect of the use of the property as 3 no. self-contained flats and 2 no. self-contained maisonettes.	Granted	27.06.1989
19881134	Application for Listed Building Consent for internal alterations at lower ground floor, ground floor and first floor levels and elevational alterations in connection with the proposed conversion into 3 no self-contained flats and 2 no self-contained maisonettes.	Permitted	08.05.1989
19881102	Conversion of dwelling into 3 no self-contained flats and 2 no self-contained maisonettes.	Permitted	08.05.1989
19790296	Application incorporating listed building consent to erect two double garages on land fronting South Hill Road	Refused	31.05.1979

Development Plan

Gravesham Local Plan Core Strategy 2014
CS01 – Sustainable Development

CS02 – Scale and Distribution of Development
CS11 – Transport
CS12 – Green Infrastructure
CS19 – Design and Development Principles
CS20 – Heritage and the Historic Environment

Saved Policies in the Gravesham Local Plan First Review 1994

TC2 – Listed Buildings
TC3 – Development affecting Conservation Areas
T5 – Access to the Identified Highway Network
P3 – Vehicle Parking Standards

Section 16(2) and Section 66(2) (respectively) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

The Council has a statutory requirement under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 33 of the NPPF 2021 sets out that 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 First Review 1994 generally conform with the NPPF 2021, the Council will also seek to replace these saved policies via the emerging Local Plan.

Other Material Considerations

National Planning Policy Framework 2021

Section 2 – Achieving sustainable development
Section 9 – Promoting sustainable transport
Section 12 – Achieving well-designed places
Section 15 – Conserving and enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance (SPG)

SPG2 – Residential Layout Guidelines (2020)
SPG4 – KCC Parking Standards (2006)
Technical Housing Standards - Nationally Described Space Standards (2015)
Windmill Hill Conservation Area Character Appraisal 2009
Management Plan Gravesend's 19th Century Suburban Conservation Areas (2009)
Listed Buildings – A Guide for Owners and Occupiers – Informal Guidance (2020)

Consultations, Publicity and Representations

GBC Conservation

This is a previous proposal, now revised. It is generally acceptable subject to details. Presumably the photos of the timber gate are to be copied. A sample panel of the flint retaining wall and cobble paving should be submitted before work is commenced. Details of the steps and iron handrail are also required at a scale of ½ or full size. There is a specification for the wall stucco repairs, which may be a challenge to follow if the contractor is not experienced in the use of lime. The alternative would be a natural hydraulic lime.

Neighbouring properties

The application has been advertised by individual neighbour letters to 8 properties, on site and in the press. The consultation periods expired on 16 and 26 November 2021 respectively.

One letter of representation has been received, objecting on the following grounds:

- Concerns about the proximity of the proposed excavation to neighbouring property and potential for damage;
- Evidence of liability insurance should be required;
- Timescales for completion;
- Concern about level of noise from the parking area;
- Possibility of use of area for something other than parking;
- There should be safety railing around car port.

There has also been one letter of support stating that anything that stops the front garden looking like a building site/rubbish tip will be an improvement.

Local Ward Councillors were also consulted and no responses were received.

Analysis

Proposal

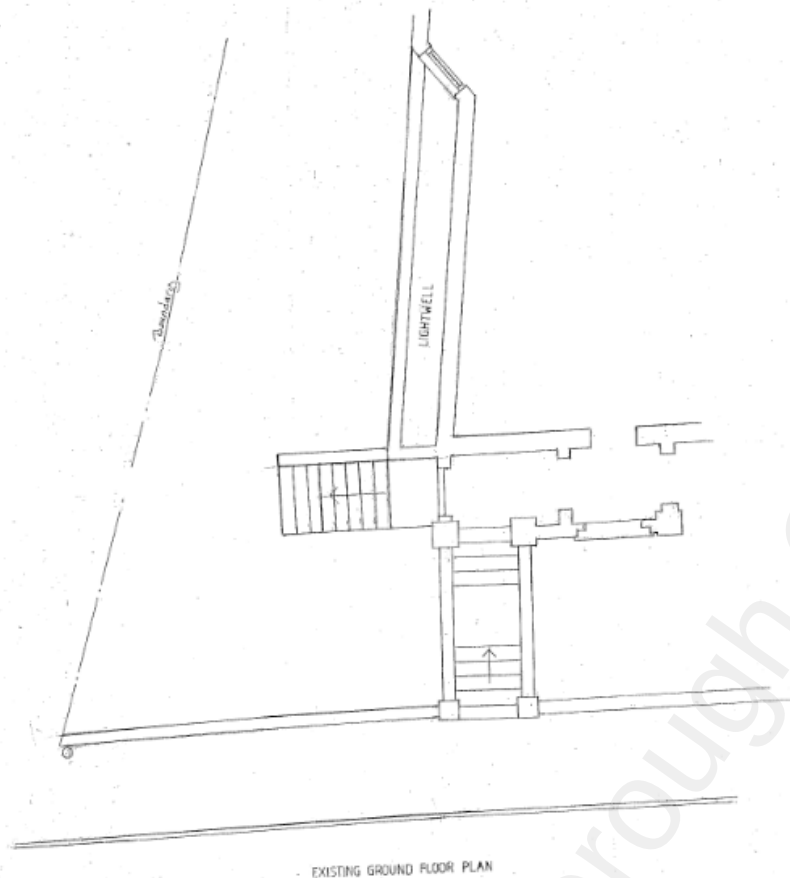
The applications seek planning permission and listed building consent for the creation of a vehicular access and associated hardstanding area in the front garden incorporating new garden steps and a pathway. The plans include removing part of the original garden wall, the existing garden steps and the lightwell, and excavating part of the garden.

The proposal comprises a dropped kerb and narrow cobblestone driveway, behind which would be oak gates leading to a cobblestone courtyard. New steps with a black wrought iron balustrade would be provided at the rear of the courtyard. The retained, raised front garden area would be landscaped and the retaining wall to the drive would be flint faced, whilst the retaining wall to the courtyard would be white painted, smooth render.

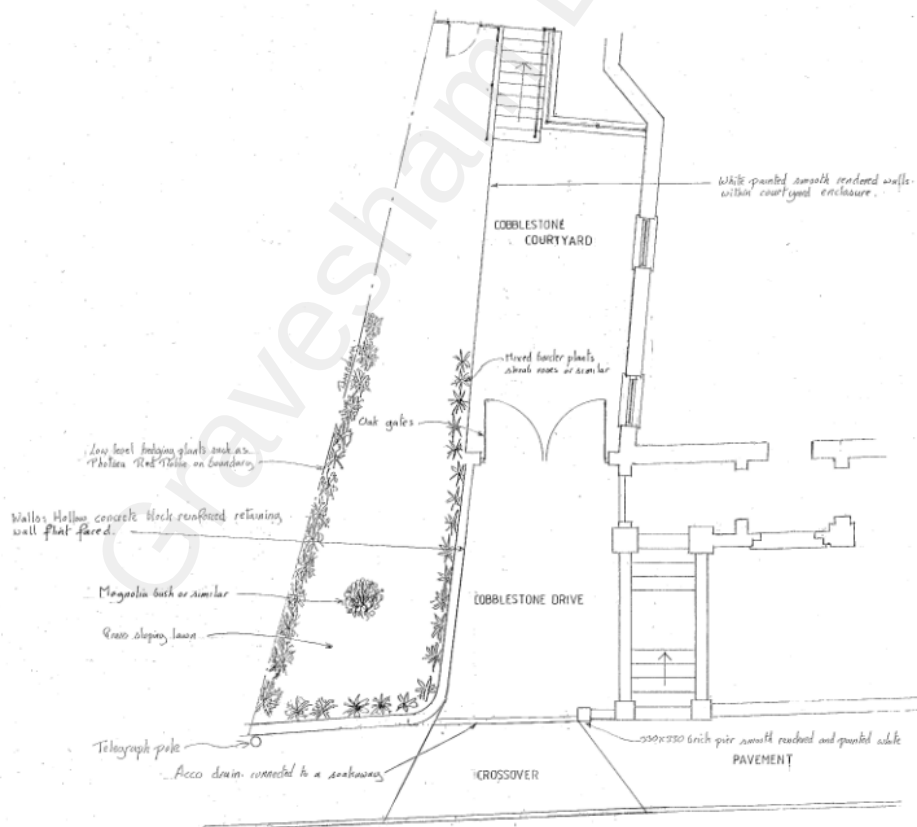
As shown in the Planning History above, planning permission was previously granted for similar proposals under applications 20190160 and 20190161.

Background

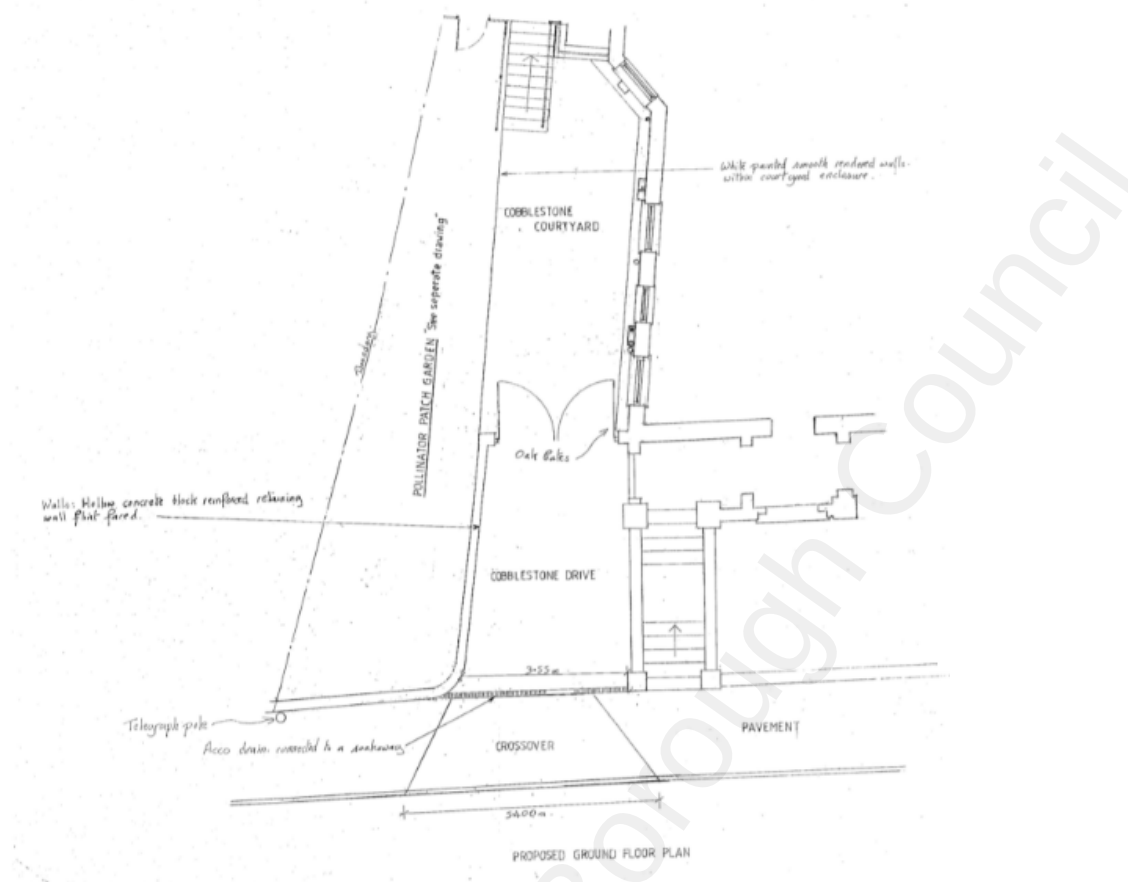
The existing layout of the property is as follows:



The layout for the proposals granted under applications 20190160 and 20190161 was as follows:



The layout proposed under the current application is as follows:



The main changes include a pollinator patch wild garden to the side, an additional window added in where the lightwell will be removed, the removal of the brick pier at the front next to the steps, and the driveway extended slightly further back next to the steps at the rear.

Principle Issues

The current proposals are very similar in nature those previously granted, but it is necessary to assess any further impact from the proposed alterations. As before, the main issues for consideration in the determination of the current applications are as follows:

- Impact of the design and appearance of the proposals on the Grade II Listed Buildings, and the surrounding conservation area.
- Effect on residential amenities.
- Impact on parking and highway safety.

Design and Conservation

Nos. 1 to 4 Constitution Crescent, South Hill Road are Grade II Listed Buildings, and form a group. The listed building description is as follows:

Crescent of 4 houses of about 1830, 3 storeys attic and basement above ground level. Faced with Roman cement, the ground floor stuccoed. Mansarded slate roofs with 3 dormers to each house. Parapet and moulded stone eaves cornice. Stringcourse above ground floor. 3 sashes to each house. The windows above ground floor are set in moulded surrounds with architraves over those on the 1st floor and friezes with paterae. Iron balconettes to Nos 1 and 4. Ground floor windows are round-headed and recessed. In front of the ground floor is a projecting terrace with stuccoed

balustrade and 4 centred arches below it at basement level flanked by rusticated pilasters, one in each house containing a doorway. No 4 lacks this terrace but has 2 flights of steps, one curved, leading up to the entrances of Nos 1-3 on the ground floor, Nos 1 and 4 have an additional ground floor portion of 2 window bays at the outer end of the houses (to which additions have been made at a later date in the case of No 4). Round-headed doorways with semi-circular fanlights.

Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places. Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The NPPF 2021 also places great significance on the desirability of sustaining and enhancing heritage assets, and on new development making a positive contribution to local character and distinctiveness (paragraph 197). This is echoed in Policy CS20 of the Core Strategy 2014, which states that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced. Saved Policy TC2 of the Local Plan 1994 sets out that for development involving alterations to listed buildings, the primary consideration is the maintenance of the integrity of the original listed building. Proposals must be sympathetic in terms of their appearance and materials.

Policy TC3 of the Local Plan 1994 also states that development is expected to make a positive contribution to the conservation area. As the application site comprises Grade II Listed Buildings that are within the Windmill Hill Conservation Area, these policies are all relevant to the consideration of these applications.

In terms of conservation and the impact on the Listed Buildings, there are no objections to the amended proposals, subject to the details of the proposed materials and repair works to be submitted and carried out as approved. These can be subject to appropriately worded conditions.

The proposed landscaping should be completed and the remaining garden kept in good order following the completion of the works – a planning condition can be used to ensure the details of the existing and proposed planting are undertaken and maintained as approved, including ensuring existing trees are protected to preserve the character and appearance of the application site as far as possible.

The proposed development would be beneficial in terms of the visual improvement to the appearance of the site frontage by tidying up the neglected front garden; would be of appropriate design and materials through retaining the appearance of the existing front boundary wall, and using cobblestones and an oak gate; would not be detrimental to architectural integrity or setting of the listed buildings; and would preserve the character and appearance of the Windmill Hill Conservation Area. As such, the proposals would comply with the requirements of Policies CS19 and CS20 of the Core Strategy 2014, Saved Policies TC2 and TC3 of the Local Plan 1994 and paragraphs 126, 130 and 197 of the NPPF 2021.

Residential Amenity

The NPPF 2021 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

Future Occupiers

The proposed changes to the previously granted proposals are minor and would not introduce any new amenity issues. It was previously considered that the proposals would be of benefit to future occupiers and would be in line with Policy CS19 of the Core Strategy 2014.

Neighbouring Properties

The closest residential properties are No. 60 South Hill Road and No. 3 Constitution Crescent (located on either side of the application site) and Nos. 63 and 65 South Hill Road (located opposite the application site).

Concerns have largely been raised regarding the impact of the proposed excavation in terms of stability and safety. This was also a concern with the previous applications. However, as before, the proposal would include retaining walls, which should ensure land stability and railings, which should ensure safety. These issues would be determined as part of the Building Regulations process and under Party Wall legislation (a civil matter) and as such, they are not considered to be material planning considerations.

The use of the proposed courtyard area for parking would have the potential to create additional noise and disturbance. This was also previously raised as a concern. However, due to the location of the parking area at a lower level than No. 60 South Hill Road and in light of the fact that the existing raised garden could currently be used as amenity space (with associated noise issues), any adverse noise/disturbance impacts associated with the proposed development would not be so significant as to warrant the refusal of planning permission.

Overall, the proposed development would have no adverse impacts on the residential amenity of neighbouring properties. As such, the proposal would be in line with Policy CS19 of the Core Strategy 2014.

Parking and Highways

There are no changes to the parking arrangements of the proposals as granted under the previous applications. The proposed development would continue to provide a parking area for one vehicle on the site frontage and a second parking space within the courtyard area. The visibility of the frontage will also be opened up with the removal of the small brick wall and pier proposed under the current applications, which was an issue raised under the previous applications, and would negate the need for the previously imposed relevant condition.

It is considered that the proposed development would comply with Policy CS11 of the Core Strategy 2014 and Saved Policies T5 and P3 of the Local Plan 1994.

Climate Change

Policy CS18 of the Core Strategy 2014 sets out the requirements in relation to climate change. For the proposed development, the relevant issue to consider is the impact of run-off on wastewater systems. This is because new built development and the hard surfacing of gardens leads to increases in the flow of water to the sewer system. The policy seeks to ensure that the run-off from new development has, as a minimum, no greater adverse effect than the existing situation and that, where feasible Sustainable Drainage Systems (SUDS) are used.

The surfacing of the proposed parking and courtyard areas would be cobblestone (which can be required to be permeable), with an Acco drainage channel located at the frontage. Part of the existing planted front/side garden area would be retained, which would allow for some natural drainage. Therefore, it is considered that the proposed development would be in line with Policy CS18 of the Core Strategy 2014.

Conclusion

The proposed alterations would have no adverse impact on the architectural integrity or the setting of the listed buildings and would preserve the character and appearance of the Windmill Hill Conservation Area. The proposals are also considered to be acceptable with regards to residential amenity, highway, and drainage matters.

Recommendation:

Permission with conditions.

See draft Decision.

Case Officer: Katherine Parkin	Team Leader: Faye Hobbs
Signed: K. Parkin	Signed: 
Dated: 16.12.2021	Dated: 21 December 2021