

Delegated Report

Householder Planning Application

Planning Application No: 20240247

Location: 8 Warren View, Shorne, Gravesend, Kent

Description: Erection of a single storey side extension with associated alterations and creation of a raised patio in the rear garden.

Applicant: Mr And Mrs Payne

Site Visit Date: 17 April 2024

Submitted Documents/Plans

Application form
Drawing no. SM452.1 (Existing plans)
Drawing no. SM452.2 (Proposed plans)

Relevant Planning History

There is no planning history for the property.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development and Design Principles

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network
- P3 – Vehicle Parking Standards

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.

National Planning Policy Framework (2023)

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

Supplementary Planning Guidance

- SPG2 - Residential layout guidelines (2020)
- Householder Extensions/Alterations Design Guide (2021)
- SPG4 - KCC Parking Standards (2006)
- Technical Housing Standards – nationally described space standard (2015)

Consultations, Publicity and Representations

External Consultees

Shorne Parish Council

The Parish Council has no objections to this proposal. The property is a single-storey dwelling at the far (east) end of Warren View, on the lower (north) side. The proposal has two elements:

- 1) A partial depth, set back side extension: The extension comes very close to the boundary however there is no neighbouring property on that east side and a satisfactory gap remains on the west side.
- 2) A raised patio across the rear: This property is on higher ground than those on Swillers Lane as the land falls away at the rear however the enlarged patio will not cause any greater overlooking than at present.

Neighbouring properties

The application has been advertised by individual neighbour letters to 3 properties, and on site. The overall consultation period expired on 1 May 2024.

One letter of objection was received, with objections on the following grounds:

- Raised patio will be used as an outdoor dining area as an extension of the new dining room.
- Large doors/windows to the extension have the potential for loss of amenity and increased overlooking.
- The patio in particular will result in a loss of privacy for neighbouring property from severe overlooking.
- The proposed development is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy, and SPG2.
- In relation to SPG2, the proposal contravenes provision 18 regarding the distance between habitable room windows and the private garden area.
- The Council has responsibilities under the Human Rights Act relating to a person having the right to peaceful enjoyment of all their possessions.
- Shorne Parish Council's response is incorrect as they consider an 'enlarged patio' but there is no patio at present. They cannot therefore have considered the effects of the proposal properly.

The local Ward Councillors were also consulted, and no responses were received.

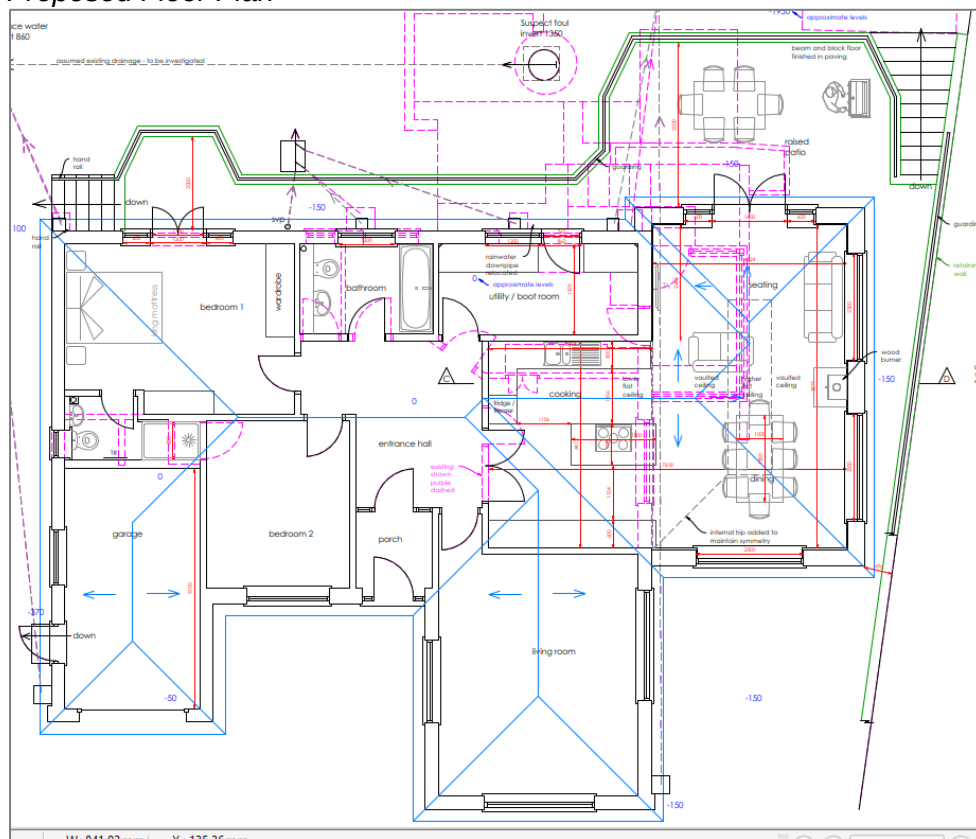
Officer's Analysis

Proposal

This application seeks permission for the erection of a single storey side extension with associated alterations and the creation of a raised patio in the rear garden.

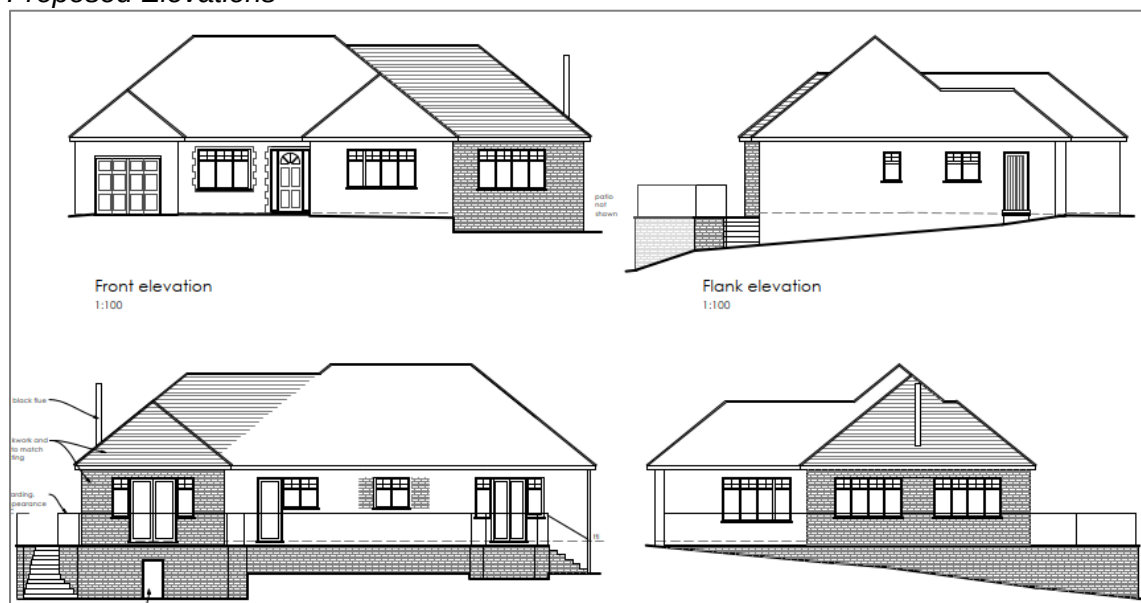
The proposed side extension will be for an open plan living/dining room. It will extend up to the boundary of the property, which flanks open fields. Immediately to the rear of the extension will be a raised patio and walkway across the rear of the house, with steps down to the garden. There will be guarding along the rear extent of the raised patio/walkway (details to be confirmed).

Proposed Floor Plan



The eaves height across the extension will match the main house; the ridgeline over the extension will be subservient to the main ridge. The extension will be constructed in brickwork and tiles to match the existing.

Proposed Elevations



Internal alterations will also be carried out to create a new kitchen, utility, bathroom and ensuite. The detached garage at the rear will be demolished to make way for the extension.

Principle Issues

The site lies within the settlement boundary of Shorne, which is surrounded by Green Belt and in the Shorne Woodland Landscape Character Area. As the property lies within the settlement boundary, the main issues for consideration in the determination of this application are as follows:

- Design, character and appearance
- Residential amenity
- Parking and highways

Design, Character and Appearance

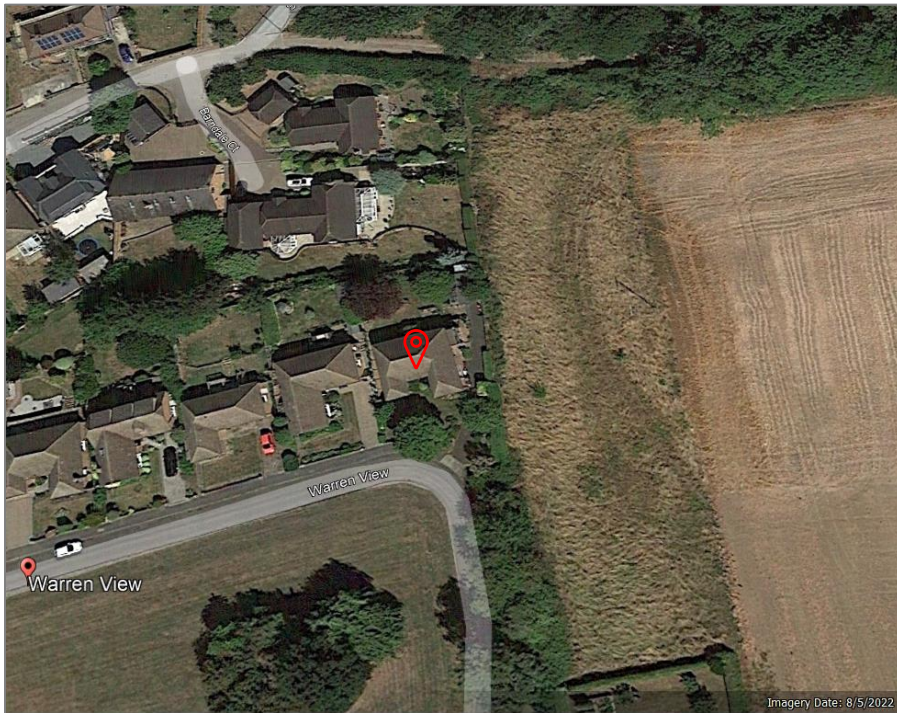
Section 12 of the NPPF 2023 relates to achieving well-designed and beautiful places and sets out the Government's requirements in relation to design issues. Paragraph 131 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the NPPF 2023 also 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.

With regard to the impact on the landscape, Policy CS12 of the Gravesham Core Strategy 2014 is relevant to this application, relating to green infrastructure. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (GLCA) 2009 will be taken into account in determining applications. The site is located within the Shorne Woodland Landscape Character Area. However, as the site comprises an existing residential property within the rural settlement boundary of Shorne, the proposal will not have any adverse impact on the wider landscape character of the area.

The property lies within the settlement boundary of Shorne at the end of Warren View adjacent open fields to the east and comprises a detached bungalow. The site is surrounded by other residential dwellings to the north, west and south (across the green to the front of the house).

Google Earth Aerial View:



Front of 8 Warren View:



The proposed extension is single storey, subservient and set well back from the front building line of the property, which as it is located at one end of Warren View, will mean it will have little visibility from the street. The proposed materials will match those existing at the property; this should be conditioned. The proposed extension would not have a detrimental impact on the visual amenity of the property itself, or the street scene in general.

Overall, the proposed extension is considered to be appropriate in terms of its size, scale and appearance, and respects the character and appearance of the wider area. As such, the proposal would comply with the requirements of Policy CS19 of the Core Strategy 2014 and the relevant guidance in the Council's Design Guide.

Residential Amenity

The NPPF 2023 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). 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 size of the extension is acceptable with regards to the provision for future occupiers, and the size of the rear garden will remain well in excess of the 37.2m² minimum garden area required for a 2 bedroom property. The proposal is therefore considered to comply with Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF 2023 and would safeguard the amenity of future occupants.

Neighbouring Properties

The proposal comprises a single storey extension that will be positioned on the opposite side of the property away from the view of No. 7 Warren View (the closest neighbour to the application property) and it would not be considered to cause any loss of light or privacy, nor have a dominant impact on this property.

With regards to the proposed walkway and patio, the walkway would not give rise to any worse level of overlooking of No. 7 than is already experienced from the existing bedroom window closest to No. 7, and the patio would be on the opposite side of the house, so would not have any direct views:

*Views towards No. 7 Warren View:
From existing bedroom of No. 8:*



From outside existing utility:



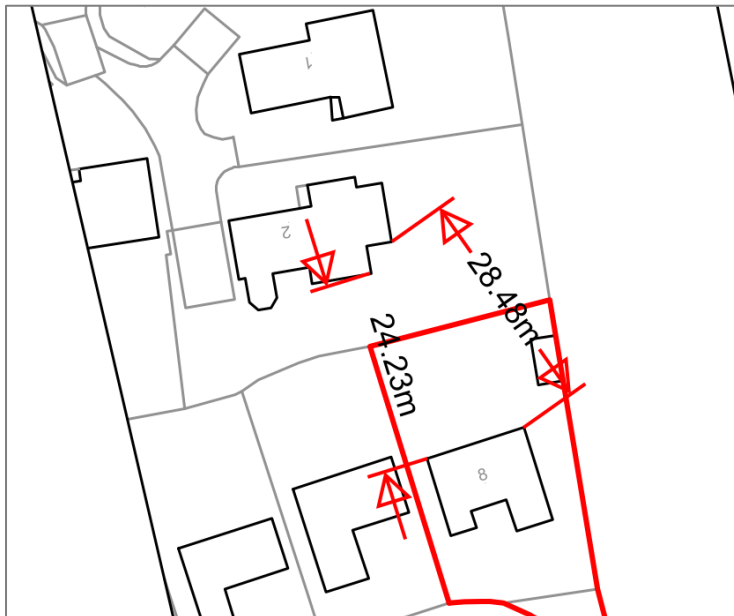
Due to the existing situation at the application property, with existing habitable room windows facing north towards No. 2 Barndale Court affording views over this property, the proposed extension is not considered to worsen the existing situation in terms of actual or perceived overlooking of this property. The extension will be at the side of the application property, and whilst the extension will project 0.5m beyond the existing rear building line and there will be new windows facing towards the rear, these would only be 0.5m closer to No. 2. Notably, the rear elevation of the application property will be in excess of 21m from the closest elevation of No. 2.

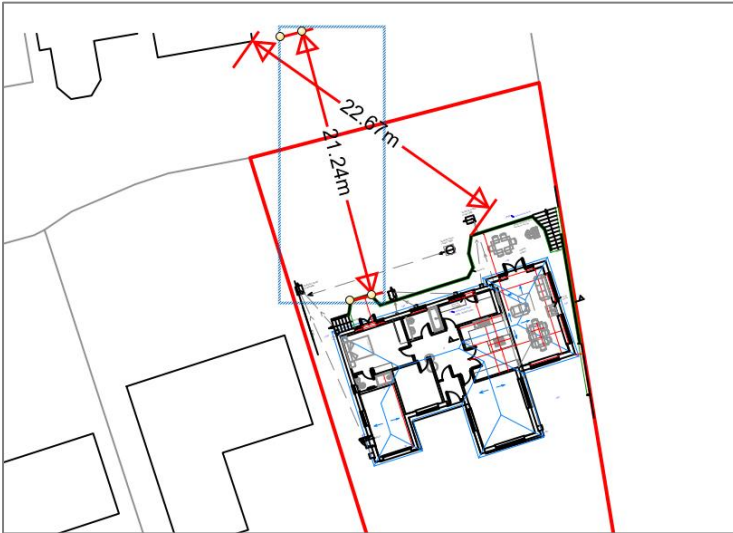
The proposal also includes a raised patio at the rear of the proposed side extension, with a walkway along the rear to the existing bedroom at the western end of the property. Concerns have been raised about the rear patio and in particular the prospect of overlooking from here as the land level falls away to the north towards the property at the rear, No. 2 Barndale Court.

View towards rear of No. 2 Barndale Court from application property:



Distances between rear elevations of 8 Warren View and 2 Barndale Court:





No. 2 Barndale Court is a large, detached bungalow with a good size garden across the back (south) of the house that wraps around to the side (east) of the property. The garden is terraced to accommodate the land level change and has two patio areas. The existing patio at to the rear of No. 8 Warren View is approximately 24m away, as shown above.

The Council's SPG2 Residential Layout Guidance sets out that 'a minimum distance of 21 metres shall be provided between the windows of habitable rooms and the private garden area of any dwelling. A private garden area is defined as the first five metres of garden adjacent to the rear of the dwelling. As the diagram above shows, there is in excess of 24m between habitable room windows and the existing patio at No. 2. It is accepted that there will be additional rear windows to No. 8 as a result of the extension, but these would not cause a significantly adverse level of overlooking or loss of privacy due to the distances involved between the two properties.

View towards rear of No. 8 Warren View from patio at No. 2 Barndale Court:



The proposed patio could add to the perception of overlooking experienced by No. 2. However, a patio is

not classed as a habitable area; it is in the garden and will not be used consistently in the same way as a habitable space. There would also be in excess of 21m from the edge of the proposed patio and the closest building line of No. 2. Again, whilst it is recognised overlooking and privacy are likely to be affected by the patio, given the separation distances involved and the existing land level differences between the houses in Warren View and Barndale Court, this would not be over and above the level expected to be experienced given the higher level of Warren View properties.

However, given the concerns raised, it would be considered appropriate to condition the provision of additional boundary screening along the rear boundary of No. 8, including fencing up to 2m and the provision of native planting/hedging, the details of which should be provided and approved prior to any above ground works. It is considered that this would sufficiently address the neighbour concerns.

Subject to this condition, the proposal would comply with Policy CS19 of the Core Strategy 2014.

Parking and Highways

There is adequate existing off-road parking provision and the proposal would have no impact on this provision or on access. There would therefore be no adverse parking or highway issues from the proposal, which would comply with Saved Policies T1, T5 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

Human Rights

Article 1 of the Human Rights Act 1998 relates to protection of property, and the peaceful enjoyment of a person's possessions. Having regard to the nature of the proposal, it is not considered to contravene this right.

Conclusion and Recommendation

Subject to conditions, the proposed single storey side extension and patio are considered to be acceptable in terms of the design and impact on the application building and on the character and appearance of the surrounding area, and with regards to residential amenity and highways and parking matters. The proposal would therefore comply with the requirements of Policies CS11 and CS19 of the Core Strategy 2014, saved Policies T1, T5 and P3 of the Local Plan 1994, and paragraphs 115, 131, and 135 of the NPPF 2023. The application is accordingly recommended for permission subject to conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Richard Hat
Signed:	<i>K. Parkin</i>	Signed:	<i>R Hart</i>
Dated:	21 May 2024	Dated:	21st May 2024