



Delegated Report

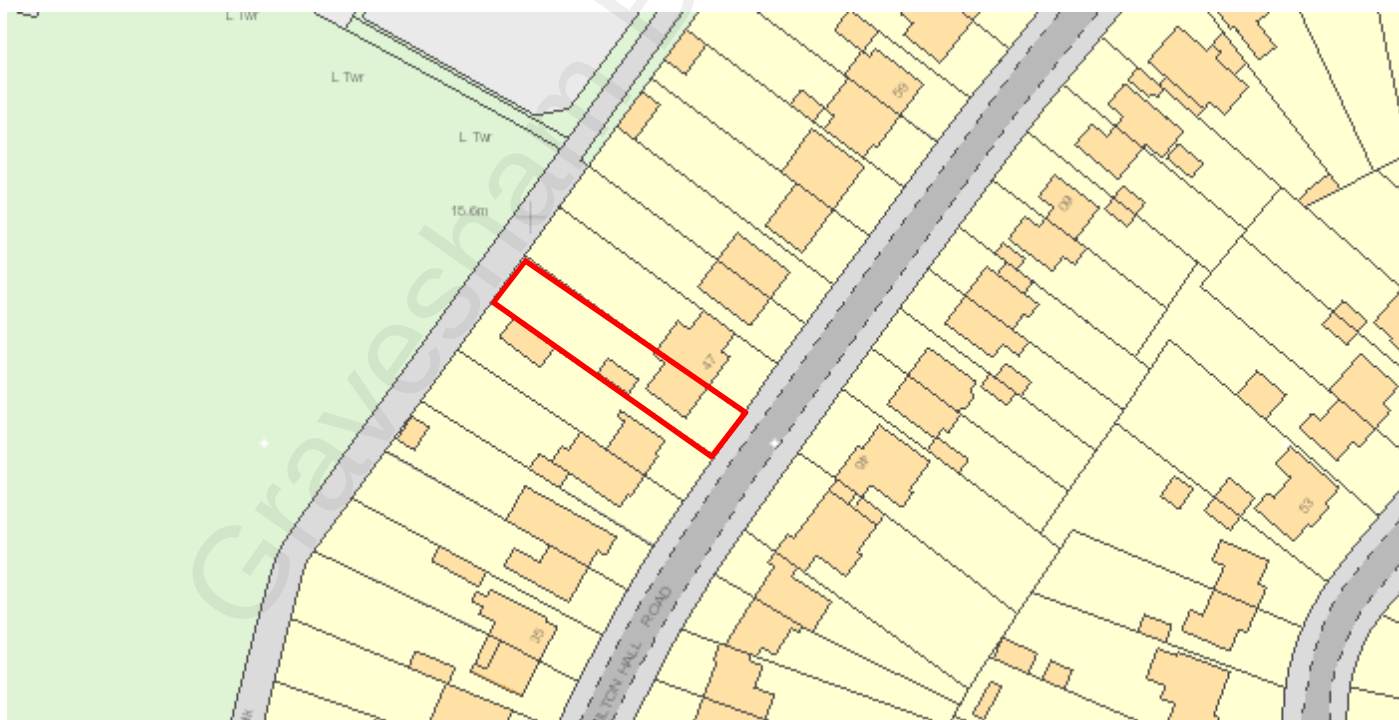
Planning Application - Householder

Application no:	20210917
Location:	45 Milton Hall Road Gravesend Kent DA12 1QN
Description:	Erection of a rear dormer, roof alterations, installation of rooflights to the front elevation and conversion of the roof space to form habitable rooms.
Applicant:	Mr Andrew Sheen
Site Visit Date:	18 September 2021

Site and Surroundings

The application property is a two storey bay fronted semi-detached 1930s style dwelling in Milton Hall Road. It comprises at ground floor entrance hall, lounge, dining room, and kitchen and with three bedrooms and bathroom on the first floor.

It is constructed of rendered and pebble dashed walls with feature brickwork now grey painted and a hipped plain tiled roofed. There is a concrete garage at rear and with side access and front garden parking for two cars. There is an existing side landing window at first floor level in the flank (side) elevation of the dwelling.



Planning permission was granted earlier this year for a flat roofed rear extension for a kitchen/family/dining room extending 4.5m at the rear and for the existing kitchen to be converted to a utility room and wc and involving the demolition of the detached garage at the side/rear, but this has not to date been implemented.

The property is shown in the Google aerial photographs below.



Milton Hall Road comprises very similar dwelling types albeit of different styles and designs giving the street scene much richness and character although there are two bungalows directly opposite on the south east side of Milton Hall Road. Some of the properties have been extended including by rear dormers and hip to gable alterations to the roofs of the dwellings.

The property backs on to Church Walk at the rear which is a public footpath and beyond that there is a sports ground (Old Gravesendians)

Planning History

Ref No	Description and Site	Decision	Date
20210523	Demolition of existing detached garage and adjoining outbuilding and the erection of a single storey rear and side extension.	Permission	08.07.2021

Proposal

The proposal is described as being for the erection of a rear dormer, roof alterations, and installation of rooflights to the front elevation and conversion of the roof space to form habitable rooms.

Plans and Documents, as revised

Application Form;

Drawing No 2021.WD.05 Rev A: Existing First Floor, Proposed First and Second Floor Plans with Cross Section;

Drawing No 2021.WD.06 Rev A: Proposed Elevations - Loft Conversion;

Drawing No 2021.WD.07: Existing Elevations;

Drawing No 2021.WD.08: Existing Ground Floor, Site and Location Plans;

Details of the Development

The development is in the form of a hip to gable roof alteration in order to accommodate a rear box type dormer and with two rooflights to be inserted in the front roof slope.

The proposed roof space will accommodate a double bedroom 3.67m by 5.6m max (20.5m²) with built in wardrobe and an en-suite shower room plus stairs and landing from the first floor.

The images below are extracts taken from the originally submitted drawing No 2021.WD.06, showing the existing and proposed rear elevations.



Following negotiations with the applicant's agent the proposed elevations have been revised firstly removing the pipework on the drawing which was an anomaly of the plan and secondly introducing a small barn type hip to the altered roof rather than a full gable.

The revised proposed elevations (front and rear) are shown below.



Development Plan and other Relevant Planning Policies and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.¹

Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

The Development Plan for Gravesham comprises:-

- *The Gravesham Local Plan Core Strategy (September 2014)*
- *Remaining Saved Policies of the Local Plan First Review (1994)*
- *The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)*

There are a number of other planning policy documents which are of some relevance to the consideration of planning applications and are material considerations, including national planning advice and guidance in the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), and supplementary planning guidance, and, where they exist, neighbourhood plans. There are currently no adopted neighbourhood plans.

Previous decisions on planning applications and appeals relating to the site and relevant case law etc. are also capable of being material considerations.

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

¹ See the Judgement in the Court of Appeal on R(on the application of William Corbett) and The Cornwall Council and others [2020] EWCA Civ 508 at <https://www.bailii.org/ew/cases/EWCA/Civ/2020/508.pdf>

The application site is shown as being within an **urban area** (Policy CS02) as defined in the Gravesham Local Plan Core Strategy Policies Map.

The most relevant policies from the adopted Core Strategy in relation to this development are as follows:

Core Strategy Policy CS01: Sustainable Development
Core Strategy Policy CS02: Scale and Distribution of Development
Core Strategy Policy CS11: Transport
Core Strategy Policy CS12: Green Infrastructure
Core Strategy Policy CS18: Climate Change
Core Strategy Policy CS19: Development and Design Principles

Policy CS01 (Sustainable Development) sets out that support will be given to proposals that accord with the development plan. A positive approach to new development will be taken that reflects the presumption in favour of sustainable development set out in the NPPF and the Local Plan Core Strategy

Policy CS02 (Scale and Distribution of Development) sets out the Council's development strategy which prioritises development in the urban areas as a sustainable location for development and also in rural settlements inset from the Green Belt.

Policy CS11 (Transport) sets out that new developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel. Sufficient parking in new development will be provided in accordance with adopted parking standards reflecting the availability of alternative means of transport and accessibility to services and facilities.

Policy CS12 (Green Infrastructure) requires that there should be no net loss of biodiversity in the Borough and gives protection amongst other things to internationally designated sites. It sets out that the overall landscape character and valued landscapes within the borough will be conserved and enhanced, with greatest weight being accorded the Kent Downs AONB. In other areas, the Gravesham Landscape Character Assessment and any relevant Cluster Study should be taken into account.

Policy CS18 (Climate Change) seeks to ensure that Water Framework Directive objectives are secured and that the impact of development on waste water drainage systems is minimised. Surface water run-off from all new development should, as a minimum, have no greater adverse impact than the existing use. It requires the use of Sustainable Drainage Systems where technically and financially feasible. It requires the water efficiency measures to be installed to achieve the equivalent of level 3/4 of the Code for Sustainable Homes (105 litres per person per day)²

Policy CS19 (Development and Design Principles) sets out detailed criteria against which the acceptability or otherwise of proposed development will be evaluated. In particular it requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built and natural environment and integrate well with the surrounding local area and meet anti-crime standards. The design, layout and form of new development will be derived from a robust analysis of local context and character and make a positive contribution to the street scene and to the character of the area.

It requires account to be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings and of the wider context including features of townscape and landscape value, which contribute to local character and sense of place.

It requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and avoid adverse environmental impacts from pollution. New residential development is required to accord with the adopted Residential Layout Guidelines and will be required to provide appropriate levels of private and public amenity space.

Proposals should include details of appropriate hard and soft landscaping, protect and where opportunities arise enhance biodiversity and provide appropriate facilities for the storage and disposal of waste.

² Now equivalent to 110 litres per person per day as required by National Standard – see GBC Housing Standards Policy Statement (2015) at http://www.gravesham.gov.uk/_data/assets/pdf_file/0016/201625/Housing-Standards-Policy-Statement.pdf

Gravesham Local Plan First Review 1994

The Gravesham Local Plan First Review was originally adopted in November 1994.

A substantial number of policies of the Gravesham Local Plan First Review were saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 as transitional arrangements pending adoption of the Core Strategy.

Saved policies contained in the Gravesham Local Plan First Review should still be accorded significant weight, albeit that the weight accorded should be greater where policies are consistent with the National Planning Policy Framework (NPPF, paragraph 219).

Those Local Plan First Review policies that remain in force are listed in Appendix 1 of the Local Plan Core Strategy. The remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document.

The following remaining saved policies are relevant to the consideration of this application:

Policy T1: Impact of Development on the Highway Network

Policy T5: New Accesses onto Highway Network

Policy P3: Vehicle Parking Standards

Saved Policy T1 requires that all proposed developments are adequately served by the highway network identified on the Proposals Map.

Saved Policy T5 requires that the formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities.

Saved Policy P3 requires development to make provision for vehicle parking, in accordance with the Kent County Council Vehicle Parking Standards, as interpreted by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site.

Review of the Local Plan

Paragraph 33 of the NPPF (2021) 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 it 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 adoption 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 National Planning Policy Framework (2021), the Council will also seek to replace these in due course.

Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 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 2021, 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 policies from the Regulation 18 (Stage 2) Development Management Policies Document (2020) show the direction of travel the Council is going and are considered as being relevant to the consideration of this application albeit the weight that these emerging policies may be accorded at this stage is very limited.

Proposed Policy INF 2: Transport Design Principles;
Proposed Policy INF 3: Understanding and Mitigating Transport Impacts;
Proposed Policy INF 5: Electric Vehicle Charging Points;
Proposed Policy RES 2: Residential Space Standards;
Proposed Policy RES 4: Domestic extensions, outbuildings and other development;
Proposed Policy AM 4: Sunlight and Daylight within New Development;

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) July 2021 is a material consideration.

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11) which means approving development proposals that accord with the development plan without delay and where there are no relevant development plan policies or where the policies are out of date planning permission should be granted unless policies of the Framework provide a clear reason for refusing the development such as where land is designated as Green Belt or any adverse impacts would so significantly and demonstrably outweigh the benefits or specific policies in the NPPF taken as a whole.

The NPPF includes (in paragraph 8) three overarching objectives to achieving sustainable development:

- An economic objective;
- A social objective; and
- An environmental objective.

The following paragraphs are specifically highlighted as being of importance to the consideration of the application proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered. Reference to the national planning guidance is also considered in the analysis section of this report.

- Section 2, Paragraphs 7 - 14: Achieving Sustainable Development;
- Section 4, Paragraphs 38 - 59: Decision Making;
- Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport;
- Section 12, Paragraphs 126 - 136: Achieving well-designed places;
- Section 14, Paragraphs 152 - 173: Meeting the Challenge of Climate Change, Flooding and Coastal Change;
- Section 15, Paragraphs 174 - 188: Conserving and Enhancing the Natural Environment;

Section 12, Paragraphs 126 - 136: Achieving well-designed places

Paragraph 126 advises that 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 130 indicates that, amongst other things, planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change

Paragraph 134 advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

The National Planning Practice Guidance (NPPG)

Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/>) supports and clarifies areas in the NPPF. It contains guidance on assessing housing need; design; public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things

The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95).

Supplementary Planning Guidance and other Documents

The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.

In addition, the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

The following documents are relevant to the consideration of this application:

- Adopted Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006);
- GBC Residential layout guidelines including Housing Standards Policy Statement October 2015, (SPG2) Adopted February 1996 - amended June 2020;
- Householder Extensions/Alterations Design Guide SPD, adopted 01 October 2021;

Consultations, Publicity and Representations

Consultations - Internal

GBC Highways Development Management Officer (*Note - Previous comments re 20210523*)

This proposal removes the garage without proposing an alternative car parking provision. It is accepted that Gravesham Borough Council has a maximum requirement, but Kent County Council has a minimum requirement and this postdates the adopted Gravesham guidance.

Pavement parking can be hazardous for the mobility impaired and should be avoided/prevented. Therefore unless alternative provision is made for the loss of the garage I would recommend refusal due to the potential impact on, on street parking and in particular pavement parking.

Note - Notwithstanding the above comment, the previous application for a rear extension (20210523) was permitted as it was determined that whilst the removal of the garage would result in a technical loss of a parking space due to its location behind the dwelling it would only be accessible to a motor bike and a modern vehicle would not be able to use it, that there was still sufficient space for at least two vehicles to park on the frontage and the development did not result in an increase in the number of bedrooms at the property.

Ward Councillors - Central Ward

No comments received

Consultations - External

KCC Public Rights of Way & Access Service

Public Rights of Way NGX23 runs to the west of the site and may be affected by the application and therefore enclose a copy of the Public Rights of Way network map showing the definitive line of this path for your information (see below)



It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

KCC Senior Archaeological Officer

The site lies within an area of multi-period archaeological potential. I consider it unlikely, however, that these proposals will have a significant archaeological impact and have no further comments to make in this case.

Publicity and Representations

The application has been advertised on site and in a local newspaper as development affecting a public right of way and in addition the owners/occupiers of 6 adjoining dwellings/premises were notified of the proposal. The overall expiry date for comments was 22 October 2021. No representations have been received.

Planning Analysis and Assessment

The Issues

The planning considerations in the assessment of this application and proposals are:

- Principle of the Development
- Design, Character and Appearance
- Amenity of Future Occupiers
- Impact on the Amenity of Neighbouring Properties
- Highways and Parking Issues
- Any other Material Planning Considerations

Principle of the Development

Policy CS01 (Sustainable Development) indicates that when considering development proposals, the Borough Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in the Core Strategy.

The application site is situated in an urban area. Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy 2014 indicates that the strategy prioritises development in the urban area as a sustainable location for development. Domestic extensions, additions and alterations to dwellings are generally accepted as being appropriate in principle within the urban area.

There are therefore no policy objections to the principle of development on this site subject to the proposal complying with the relevant policies relating to design, the amenity of future occupiers, the impact on the privacy and amenity of neighbouring properties, highway or parking impacts, and any other material planning considerations.

Design, Character and Appearance

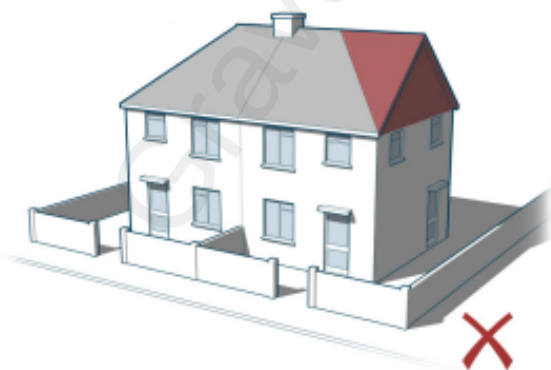
Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Gravesham Local Plan Core Strategy 2014 reflects these aims and requires that new development is well designed, and respects the character and appearance of the surrounding area.

Emerging policy RES 4 of the Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020 indicates that: *all domestic extensions, additions and alterations should be well designed and located and respect the scale, form, proportions, character and appearance of the main dwelling and the character of the locality. Particular attention should be paid to:*

- *The roof form and roofline;*
- *Window detail;*
- *Architectural features;*
- *Boundary treatments; and*
- *Materials.*

Paragraph 9.4.13 states that *proposals for domestic extensions, outbuildings or other forms of development, which harm the character and appearance of the main dwelling or its locality or have an adverse impact on the amenity of occupiers of neighbouring properties or otherwise are not policy compliant will not be permitted.*

The recently adopted Householder Extensions/Alterations Design Guide SPD provides supporting design guidance and states, in relation to Hip-to-Gable roof extensions, that this *should not interrupt or unbalance the pattern of roof form visible from the street.*



Hip-to-gable extensions that impact the symmetry of houses and the character of the street will be refused.

In respect of rear roof extensions the design guidance says:

Whilst in many instances, rear roof extensions can be undertaken without permission under permitted development, these can and have had a harmful effect on roofscapes. When assessing planning applications, a high standard of design shall be required. Rear roof extensions and alterations should be set away from the gables, hips, eaves and ridge of a property and follow the guidance below:

- *Height: Should be lower than the existing ridge-line, and original ridgeline treatment should be retained.*
- *Massing: Should not wrap around two-sides of a hipped roof unless in special circumstances where it can be justified; this will be judged on a case by case basis. Dormers should not overwhelm the roof slope within which they are to be placed.*
- *Alignment of Windows: Should include window position and design which reflects the position, design and character of windows to the lower levels of the host original building.*
- *Detail: Large blank facades on dormers can have an overbearing appearance and will not generally be acceptable*

The proposed hip to gable roof enlargement would increase the overall bulk of the roof and would challenge the symmetry of the roof shape of this pair of semi-detached dwellings and does not conform to the recently adopted design guidance; however the overall assessment suggests it would not appear unduly incongruous within the wider streetscene and where other hip to gable roofs are already evident. These are currently at 5, 7, 17 and 39 (where have all included a small barn type hip in their design), 55, 57 (which has a mansard roof) and 61 Milton Hall Road. There are also several other hip to gable roof alterations either unbuilt as yet (following permissions/LDC's) or on the opposite side of Milton Hall Road.

Some examples of existing hip to gable roof alterations are shown in the images/photos below.



Above: Hip to Gable roof alterations and rear dormers at 55 and 57 Milton Hall Road



Above: Hip to Gable roof alterations with barn hips at 39 and 17 Milton Hall Road

It is recognised that those hip to gable alterations pre-date the current design guidance of October 2021. However as referred to earlier in this report it was considered that there was some design 'gain' in this case in seeking an amendment to the originally submitted scheme by also incorporating a small barn type hip rather than a full gable and this was agreed by the applicant's agent. It is not considered that despite the new guidance the current proposal, as now amended, could be reasonably refused and then successfully defended at a subsequent appeal.

It is acknowledged that the proposed rear box type dormer would be fairly bulky but it would be set in from the edges of the roof and down from the ridge and the host roof would therefore still be legible surrounding the dormer and as such it is not considered that the proposed rear dormer would appear unduly prominent or incongruous given that there are numerous other examples of rear dormers within Milton Hall Road and that that proposal would be of a similar scale, if not actually smaller, than some of the existing dormers in the street. Being also at the rear it is less conspicuous to public views although it is recognised that Church Walk at the rear of the property is a public footpath.

Potentially the rear dormer could in any event fall within the scope of permitted development (Article 3 of and Part 1 Class B of Schedule 2 to the GPDO - as under 50 cubic metres), perhaps along with the hip to gable roof alteration thus constituting effectively a fall-back position, although there has been no lawful development certificate application to test whether the scope of the alterations as proposed in this planning application would actually fall within permitted development rights. An application (20210748) for a Lawful Development Certificate for proposed conversion of loft to habitable rooms with hip to gable roof extension, dormer extension to rear elevation and 3 rooflight windows to front elevation at 25 Milton Hall Road was granted in August 2021, and a similar LDC at 53 Milton Hall Road (ref 20210469) was granted in July 2021.

In summary, the proposed dormer and hip to gable roof alterations (and having regard to the agreed amendments to retain a small barn hip) would not result in demonstrable harm to the character or appearance of the host dwelling and would not appear unduly prominent in the street scene. The development would therefore be acceptable in accordance with Policy CS19 (development and Design Principles) of the Gravesham Local Plan Core Strategy, September 2014, emerging policy RES 4 (Domestic extensions, outbuildings and other development) of the Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020, and Section 12, Paragraphs 126 - 136: Achieving well-designed places of the NPPF.

Amenity of Future Occupiers

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines'.

The Supplementary Planning Guidance Note 2 - Residential Layout Guidelines - referred to above sets out the Council's standards in relation to private garden areas and internal space standards, amongst other things.

On 25 March 2015, the Government issued a written ministerial statement, which introduced new technical housing standards in England. This means that the Borough Council now interpret Tables 1 and 3 of the Residential Layout Guidelines July 1996 in accordance with the new standards.

The development provides acceptable internal living standards according with national space standards (the loft room providing a double bedroom of 20.5m², thus well in excess of the minimum requirements) and therefore the development is compliant with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy and the Supplementary Planning Guidance Note 2 - Residential Layout Guidelines, as revised.

Neighbouring Amenity

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 130 of the NPPF (2021) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

The dormer at the rear does create some additional overlooking of adjoining rear gardens at a higher level but this would not be any materially different than from existing rear first floor windows. There have been no neighbour objections.

Therefore, in terms of neighbour impacts it is not considered that the development would be contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

Parking and Highways

At a local level Gravesham Local Plan Core Strategy Policy CS11 (Transport) states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards, which will reflect the availability of alternative means of transport accessibility to services and facilities.

This approach to development is also supported by saved policies in the Gravesham Local Plan First Review Policy T1 (Impact of Development on the Highway Network), Policy T5 (New Accesses onto the Highway Network) and Policy P3 (Policy for Vehicle Parking Standards) and in supplementary guidance in the adopted KCC vehicle parking standards (SPG4) and Planning Policy for vehicular accesses to classified highways (SPG 6, November 1992).

No specific comments have been received from the GBC Highways Development Management Officer although he expressed concern in relation to a previous application (ref 20210523) at the loss of the garage at the site but as indicated earlier in this report, the previous application for a rear extension was permitted as it was determined that whilst the removal of the garage would result in a technical loss of a parking space due to its location behind the dwelling it would only be accessible to a motor bike and a modern vehicle would not be able to use it, that there was still sufficient space for at least two vehicles to park on the frontage and the development did not result in an increase in the number of bedrooms at the property.

SPG4 does however state that for a property with four or more bedrooms there should be a maximum of 3 spaces per dwelling. In this current application the proposal does increase the number of bedrooms from 3 to 4 with the new bedroom in the roofspace. The property has potentially 2 spaces on the front garden and space at the side of the dwelling for parking albeit a little more constrained in terms of the available width.

As such in respect in parking and highway safety the proposal is not considered to conflict with Gravesham Local Plan Core Strategy Policy CS11 (Transport) or saved Policies T1 and P3 of the Gravesham Local Plan First Review.

Any Other Material Planning Considerations

The development would not impact on the public footpath on Church Walk (NGX23) which is outside of the application site. Nevertheless the KCC Public Rights of Way Officer request the imposition of a standard informative.

Although the site is within an area of multi-period archaeological potential the scale and nature of these proposals are such that they will not have any archaeological impact.

Conclusions and Balancing Exercise

The development, as amended, is of an appropriate design in relation to both the roof alteration and the rear dormer. The proposed dormer and hip to gable roof alterations would not result in demonstrable harm to the character or appearance of the host dwelling and would not appear unduly prominent in the street scene.

The development complies with the adopted residential layout guidelines. There are no neighbour objections or other adverse consultation responses.

It is therefore considered that the proposals can be supported and **PERMISSION** granted but subject to appropriate conditions.

In the analysis of the planning issues and the subsequent recommendation consideration has been given to the Human Rights Act and it is concluded that any breaches or interference to individual human rights are reasonable and fair.

Recommendation:

PLANNING PERMISSION be **GRANTED** subject to planning conditions, reasons and informatives

CONDITIONS AND REASONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following approved plans and particulars:

Application Form;

Drawing No 2021.WD.05 Rev A: Existing First Floor, Proposed First and Second Floor Plans with Cross Section;

Drawing No 2021.WD.06 Rev A: Proposed Elevations - Loft Conversion;

Drawing No 2021.WD.07: Existing Elevations;

Drawing No 2021.WD.08: Existing Ground Floor, Site and Location Plans;

and pursuant to any condition hereinafter contained and there shall be no deviation therefrom.

Reason: For the avoidance of doubt and in order to ensure the development is implemented on the basis of the scheme as submitted and assessed in the interests of proper planning and in the interests of the visual amenities of the area and the residential amenity of neighbouring occupiers, pursuant to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

3. Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To ensure a satisfactory external appearance and satisfactory visual relationship between the existing and the new development in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

4. The ensuite bathroom window in the rear dormer as hereby permitted shall be fitted with obscured glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and fixed/top hung only and shall be permanently retained as such.

Reason: To safeguard the privacy and amenity of the occupiers of the adjoining properties having regard to with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and Section 12 of the National Planning Policy Framework (NPPF).

5. For the avoidance of doubt, and notwithstanding the provisions of Article 3 of and Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any provision equivalent to that Part in any Order replacing, revoking or re-enacting that Order with or without modification), no further or enlarged windows, doors, roof lights or other openings, other than those shown in the approved plans, shall be formed at any time in the rear dormer or altered roof as hereby

permitted, unless a specific grant of planning permission has been given by the Local Planning Authority. For the purposes of this condition, openings shall include the insertion of cover holes for flue extracts.

Reason: In the interest of safeguarding local residential amenity and in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION TAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

In this instance, necessary revisions were identified and made to the proposal, at which point it was able to be given permission.

2 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

3 BUILDING REGULATIONS AND PARTY WALL ACT

This decision **DOES NOT** imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

4 PLANNING CONDITIONS

All relevant planning conditions must be discharged prior to the commencement of work or in accordance with the times scales specified in the planning conditions. Requests to discharge conditions must be made by formal application.

5 PUBLIC RIGHTS OF WAY

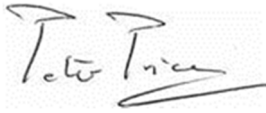
Public Rights of Way NGX23 (Church Walk) runs to the west of the site. The applicants are advised that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases.

Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

6 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.
- v. Care shall be taken during the building works hereby approved to ensure no damage occurs to the highway during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Highway authority and at the applicant's expense.

Case Officer:	Mr Peter Price	Team Leader:	Faye Hobbs
Signed:		Signed:	
Dated:	9 th November 2021	Dated:	10 th November 2021

File Location: F: Plan/Typing/General/Peter/Delegated Reports/Uniform - 20210917 - Delegated Report - 45 Milton Hall Road Gravesend - Erection of a rear dormer and roof alterations etc.