

Delegated Report

Householder Planning Application

Planning Application No: 20231028

Location: 10 Brenchley Avenue Gravesend Kent DA11 7RQ

Description: Erection of a first floor rear extension and enlargement of existing front driveway.

Applicant: Ms Pooja Kaur

Site Visit Date: Previous Visit

Submitted Documents/Plans

Application Form
Site Location Plan
Proposed Site Block Plan and Details
Existing and Proposed Site Block Plan
Existing Floor and Roof Plans
Proposed Floor and Roof Plans
Existing Elevations
Proposed Elevations
Cover Letter

Site Description

This application relates to a two-storey detached dwellinghouses, in an urban, residential area. It is within the Thames Estuary and Marshes Ramsar Buffer Zone and in an Area of Archaeological Potential. The images below show the front and rear elements of the dwellinghouse as taken in February 2023.



Relevant Planning History

Reference	Description	Decision	Decision Date
20230271	Erection of single storey rear extension, two storey rear extension, two storey side extension and porch.	Refused	10.05.2023
20230001	Proposed single storey rear extension, two storey rear extension and porch and two storey side extension with altered fenestration	Refused	03.03.2023
20200406	Erection of a single storey rear extension and first floor side extension and a new front porch.	Permitted	24.06.2020
20190975	Application for a Lawful Development Certificate in respect of the proposed construction of a dormer extension in the rear roof slope and conversion of the roof space into habitable rooms.	Certificate Granted	30.10.2019
20190971	Erection of a single storey rear extension and first floor side extension	Refused	04.11.2019
20190970	Single storey rear extension with a depth of 8 metres, maximum height of 3.65 metres and eaves height of 2.6 metres.	Prior Approval Not Required	25.10.2019
19480231	Erection of a single dwelling house	Permitted	04.11.1948

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- 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)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-designed Places

Supplementary Planning Guidance

- SPG 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

Ward Councillors: No comments received.

GBC Highways Officer:

The parking plan as submitted is not considered viable, but does provide adequate car parking for the property, a minimum of two vehicles.

The depth of the garden in front of the door measures some 5.7 metres which is less than the 6 metres that are desirable when vehicles are parked in front of a door to a property to ensure safe pedestrian access and egress. So perpendicular parking in front of the door is not possible, although a parking space either side of the path to the front door would be acceptable, although this would require additional works to the highway to form carriage crossovers.

Parallel parking would be acceptable for a single vehicle given the latest guidance from Kent County Council, but not for two vehicles, as there is insufficient space to accommodate two cars whilst still allowing pedestrian access to the building.

However, as only a minimum of two parking spaces are required, there is no highway objection, just a statement that the parking layouts shown are not acceptable.

As the proposal results in an additional bedroom a secure cycle parking space should be provided to meet the requirements of SPG4 of one cycle parking space per bedroom

KCC Highways:

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway. Please the applicant that they will require the separate approval of KCC for the extension of the vehicle crossing.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway

assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Neighbouring properties

The final date to submit comments ended on 17th November 2023. 7no. surrounding properties were consulted and 10 comments were received from members of the public. 8 comments were in support of the application and 2 were objecting. Summary of the comments are included below:

Support:

- The renovation and improvement works are much needed.
- The extension would be well suited and respectful to neighbouring houses.
- The rear extension is modest in comparison to other houses.
- The existing rooms are inadequately sized.
- The resultant property will be an asset to the local area and street scene.
- The extension will not be visible from properties opposite.

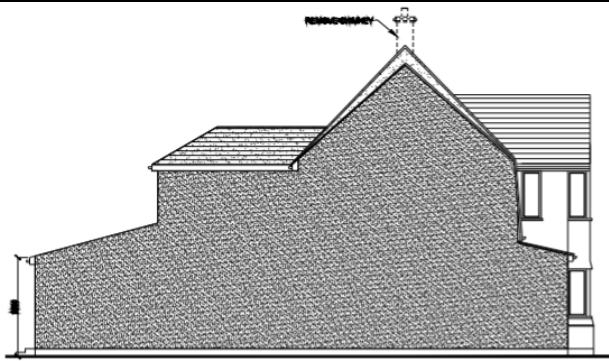
Objection:

- Works have commenced despite approval not being in place.
- The new plans only provide minor changes to those previously refused and reduce impact on adjacent bungalow.

Officer's Analysis

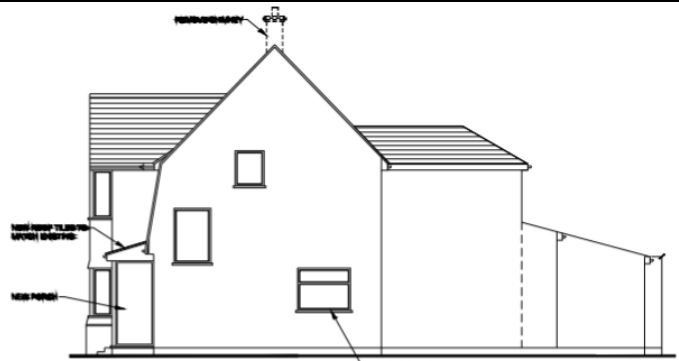
In order to provide greater context, the plans for the most recent refusal are compared below to the new scheme. For a more in-depth layout of the plans approved and refused over history on this site, please refer to the delegated report related to planning refusal 20230001 and 20230271, which has not been placed here, to avoid unnecessary repetition.

Proposed single storey rear extension, two storey rear extension and porch and two storey side extension with altered fenestration **REFUSED under ref 20230271(Not to Scale).**



PROPOSED SIDE ELEVATION

0m 1m 2m 3m 5m 10m
SCALE BAR



PROPOSED SIDE ELEVATION



PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION

Current Proposal



The covering letter provided with the application lists the following as the changes made from the previous submissions:

Changes made from previous submissions:

- First Floor Rear Extension at 3.85m depth behind the original dwelling only. (this has been changed to now be stepped in away from neighbouring bungalow).
- Removal of all east facing windows. Therefore, No East Facing windows included in this design.
- New West Facing window all to be to be installed using obscure glazing (as noted on plans).
- HIP Pitched Roof Designed to mimic neighbouring property extensions on Brenchley Avenue which have also used HIP roof design. This will also be lower in height (similar design to No26, No10, No8, No16 to mention a few). This design was chosen as to ensure the first-floor extension fits in well with neighbouring properties and their extension designs.
- New family bathroom will be formed in place of existing bedroom 3.
- Newly formed bedroom 3 and enlarge Bedroom 2 to incorporating dressing area.
- Exterior walls to be rendered finished to match existing / off-white render.
- New flat obscure glazed roof light (on single storey rear roof)
- All roof tiles to be of similar material grey in colour.

Principle of Development

This application is located inside the Urban Boundary, where alterations and extensions to residential buildings are generally acceptable in principle as per Policy CS02: Scale and Distribution of Development. However, all other relevant matters should be considered.

In this instance, given the quite recent refusal of a similar scheme this assessment will focus on those

refusal reasons and whether they have been overcome by the new scheme.

Refusal Reason 1

The proposed development by virtue of its scale, dominant projecting features, significant depth and poor design and layout would result in significant harm to the character of this property and the wider area and would as a result fail to comply with the requirements of the Householder Alterations/Extensions Guide, Policy CS19 (Development and Design Principles) of the Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework (2021) in terms of design, character and appearance.

Refusal Reason 2

By virtue of the excessive depth, height and proximity of the proposed extensions to the adjoining neighbours dwellinghouse, the scheme would result in harm to the living environments of future occupants of the neighbouring property at no. 8 Brenchley Avenue. The proposal would therefore fail to provide a high standard of amenity for neighbouring sites which conflicts with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 126 and 130 of the National Planning Policy Framework 2021.

Officer Note: It is noted that the National Planning Policy Framework has since been updated. However, the paragraphs relevant to the above refusal reasons remain the same in the National Planning Policy Framework 2023.

Design, Character and Appearance (Refusal Reason 1)

To help to understand the impact of the change in terms of floorspace the below table detail the floorspace previously and currently proposed in comparison with the existing dwellinghouse:

	Total Floor Space	Actual Increase from existing	Percentage increase from Existing
Existing	107m ²	N/A	N/A
Refused under 20230001	236m ²	129m ²	120%
Refused under 20230271	226m ²	119m ²	111%
Proposed	207m ²	100m ²	94%

The proposed scheme would have 29m² less floorspace than that original proposal. The reduction of the scale by 12.8% is a significant reduction from the original scheme which proposed to increase the existing dwellinghouse by 120%. The original scheme, which was considered to be significantly harmful, due to its excessive increase and bulk would require changes proportional to the harm it would cause to overcome the concern.

The previous report stated:

'At the crux of this scheme, there is an issue with the fact that the existing dwellinghouse would be enveloped by new development. New extensions should be subservient to the main dwellinghouse, and it is implausible that the cumulative excess as proposed here, where the increase proposed would be greater than the existing dwellinghouse, could be considered subservient in any form.'

The significant reductions in volume proposed are a vast improvement on the previous scheme and serve as an effective argument that the new scheme proposed overcomes the first refusal reason. The fact that the first-floor elements would enclose the dwellinghouse at the side and rear are the still of concern, with the single storey extension having less impact in terms of character and visual appearance. However, the first-floor element to the side would be set under the ridge and clearly subservient. The rear extensions have less impact on the streetscene. The double hipped roof to the rear of the main dwellinghouse would provide a soft appearance to the rear elevation whilst limiting the amount of additional bulk which could be required from a two-storey rear extension. The side extension

would be set back from the main front elevation whilst maintaining the form of the original house. The false pitched roof to the ground floor rear whilst not ideal would serve a small section of flat roof, not visible to the public.

Taking everything into account, whilst the proposed development would result in substantial increases in floorspace, when assessed visually, the design would be subservient, characteristic of the wider area and would be appropriate in terms of design.

On balance, the proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF (2023) in terms of design, character and appearance and overcomes refusal reason 1.

Amenity of Future Occupiers

The NPPF (2023) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The impact on amenity is also considered with regard to the criteria with Policy CS19 of the Core Strategy, 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. The impact on neighbours will be assessed in the next section of the report.

The existing dwellinghouse is a three-bedroom property. The proposed extension would result in three bedrooms. An open plan kitchen/diner/living space, utility room, garage, lounge, snug, lobby and WC at ground floor and three bedrooms, one ensuite, a bathroom, wet room, study and hallway to the first floor.

The rooms meet the required minimum space standards and continue to have adequate rear garden depth and area as per SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020.

Neighbouring Amenity (Refusal Reason 2)

As outlined above, it is important that any development safeguards the amenity of neighbouring properties and land. Following a period of consultation with neighbouring properties, no objection to the proposal was received.

12 Brenchley Avenue

It is considered that there would be no significant harm to this neighbour as a result of the development. There are no changes to this scheme which would alter that assessment.

8 Brenchley Avenue

Refusal Reason 2 on decision notice 20230271 outlines concerns regarding the impact of the development on 8 Brenchley Avenue. The altered scheme would include windows which would directly overlook this neighbour which could potentially result in overlook. All windows would be obscure glazed to this side with one exception. The unobscured window would serve the stairwell, a non-habitable space which would be unlikely to result in occupiers standing in this space for long periods of time, overlooking the neighbouring property. No concerns are raised with regard to overlooking.

The lowering of the first-floor rear extension height and its similar depth to this neighbour's rear elevation somewhat mitigate the potential impact. The two-storey nature of this proposal in relation to the single storey bungalow, does create some impact on the neighbour in terms of bulk but this would not be so significant so as to warrant a refusal on this scheme.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014 and overcomes the second reason for refusal.

Highways and Parking

The existing number of bedrooms are three, and this would not increase. It is noted that the GBC Highways Officer incorrectly advises that the bedrooms would increase to four.

SPG 4 – KCC Parking Standards (2006), requires that single bay garages have internal dimensions of 5.5m (Length) x 3.6m (width). The existing garage has dimensions of 7.2m (length) and 2.5m (width), which would not meet the standard vehicular parking requirement, As the internal dimensions for the garage (7.7m x 2.2m) would not meet this minimum standard it would not be considered adequate provision for parking of vehicles. However, there is a drive with available space for parking of approximately 2 vehicles.

The required parking provision for dwellinghouses with 2-3 bedrooms or more is 2 spaces. The existing parking provision requirement as per the SPG 4 - KCC Parking Standards (2006); would continue to be met.

This new scheme has provided an alternative parking plan with the proposal to use the entire front garden area as drive which shows spacing for 4 vehicles. Based on the information available, the GBC Highways Officer has advised that the layout for parking of 4 cars is not viable. However, as 2 car parking spaces are required, it would be acceptable for parking of 2 vehicles. However, if approved this would require a pre-commencement condition to ensure that a dropped kerb would be put in place serving the drive and ensuring that the drive would be surface with a bound permeable material.

This scheme now fully indicates the area of the drive and that it will use permeable block paving, provides adequate detail to ensure adequate parking provision would be available.

The proposal would comply with policies T1 and P3 of the Local Plan First Review 1994 and Policies CS11 and CS19 of the Core Strategy 2014, subject to conditions.

Conclusion & Recommendation

The proposed development complies with all relevant national and local planning policies. The two refusal reasons within decision notice reference 20230271 have been overcome by the changes made in the proposed plans for this planning application. The recommendation is therefore to approve the application.

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

Case Officer:	Ms Lisa Williams	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	23rd November 2023	Dated:	28 November 2023