



Delegated Report

Full Planning Application

Planning Application No: 20240284

Location: 12 Brenchley Avenue, Gravesend, Kent, DA11 7RQ

Description: Demolition of existing dwelling house and erection of new 4 bedroom dwelling house.

Applicant: Mr Kuldeep Singh Kandola

Site Visit Date: See previous case

Submitted Documents/Plans

Application form

Drawing no. KK/01 (Site Location Plan)

Drawing no. KK/02A (Existing and Proposed Site Block Plans)

Drawing no. KK/03 (Existing Plans)

Drawing no. KK/04 (Existing Elevations)

Drawing no. KK/05A (Proposed Ground Floor Plan)

Drawing no. KK/06A (Proposed First Floor Plan)

Drawing no. KK/07A (Proposed Front Elevation)

Drawing no. KK/08A (Proposed Side Elevation Facing No. 10 Brenchley Avenue)

Drawing no. KK/09A (Proposed Rear Elevation)

Drawing no. KK/10A (Proposed Side Elevation facing No. 14 Brenchley Avenue)

Relevant Planning History

Reference	Description	Decision	Decision Date
20231210	Demolition of existing dwelling house and erection of a 4 bedroom dwelling house.	Refused	27.02.2024
20010469	Erection of first floor rear extension to form enlarged bedroom with en-suite shower room/w.c.	Permitted	26.07.2001

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

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed and beautiful places

Supplementary Planning Guidance

- SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 (June 2020)
- Technical Housing Standards – nationally described space standard (2015)
- SPG4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)

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.

Consultations, Publicity and Representations

External Consultations

KCC Heritage

The site lies within an area of multi-period archaeological potential. However, based on existing Historic Environment Record data for the area and the past development of the site, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

Internal Consultations

GBC Environmental Protection

The comments made for the previous (refused) application are re-iterated. No objection. A watching brief condition and informatives on the code of practice on construction and demolition, lighting and smoke control are recommended.

Neighbouring Properties

The application has been advertised by individual neighbour letters to 8 properties. The overall consultation period expired on 7 May 2024.

Two letters of objection were received. The objections are as follows:

- Bulk and massing are concerning.
- Juliet balconies would impact on neighbouring privacy.
- Insufficient parking provision.
- Excessive and lengthy building work already taken place on the road. This has been disruptive and the

current proposal will mean further disruption.

- Liaising with neighbours would have been helpful.
- It will get reassessed for council tax.

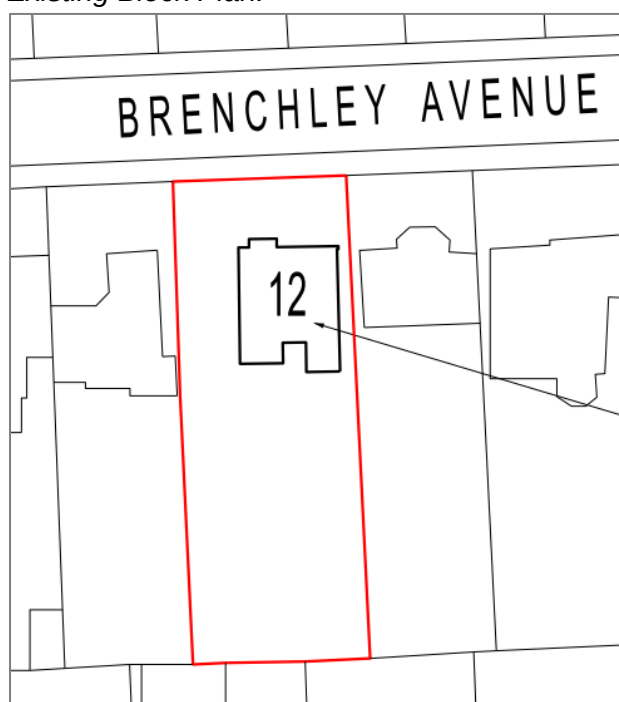
Local Ward Councillors were also consulted, and no responses were received.

Officer's Analysis

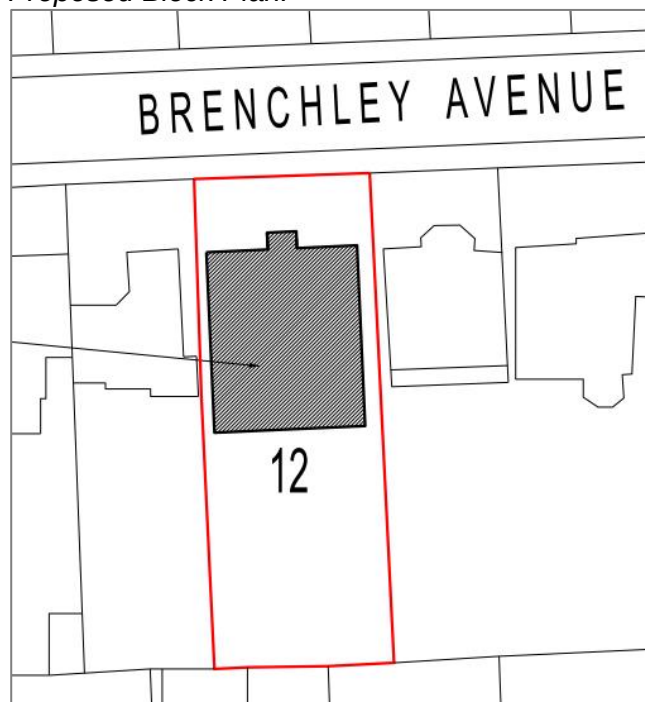
Proposal

This application seeks permission for the demolition of the existing dwelling house and the erection of a 4 bedroom dwelling house.

Existing Block Plan:



Proposed Block Plan:



The dwelling will be two storeys with gable ends and a central, 1.4m forward-projecting front gable for a double height porch. The building would extend across much of the width of the plot; it would be set in by approximately 1m from the flank boundaries. The total depth of the property would be approximately 16m.

On the ground floor the property would comprise a central hall, with a living room off to one side and a lounge, study, shower room and utility off to the other side. An open plan kitchen and family room would extend across the back of the house. On the first floor, there would be 4 bedrooms (3 with ensembles), a bathroom and a further study. Full height windows with French doors and Juliet balconies would serve the two bedrooms at the rear, and both of these bedrooms would also have windows to the flank elevations. The study would also have a window on the flank elevation. All of these first floor flank windows are noted as having obscure glass.

The building would be painted render at first floor level and red brickwork at ground floor level, with grey concrete smooth roof tiles, and white double glazed upvc doors and windows.

Background

The previous similar proposal under application 20231210 was refused for the following reasons:

1. *The excessive size, bulk and scale of the proposed dwelling, with a particularly poor flat roof design and*

elevations lacking any detail, is considered to be unsympathetic to and out of character with the neighbouring buildings and the wider surrounding area. The proposal therefore fails to comply with the requirements of Paragraphs 123, 128, 131 and 135 of the National Planning Policy Framework 2023 and Policies CS14 and CS19 of the Gravesham Local Plan Core Strategy 2014.

2. *The excessive size, bulk and scale of the proposed dwelling in such close proximity to neighbouring properties either side would have a dominant effect on them, adversely affecting the outlook and light to the rear that No. 10 would reasonably expect to be able to enjoy, and creating a sense of enclosure, loss of light and privacy to No. 14. The proposal therefore fails to comply with the requirements of Paragraph 135 of the National Planning Policy Framework 2023 and Policy CS19 of the Gravesham Local Plan Core Strategy 2014.*

The current application has been submitted in an attempt to overcome the above refusal grounds with amendments to the proposal. These amendments include moving the proposed dwelling away 1m from the boundary with No. 14 and reducing the depth of the building by 1.6m at first floor level at the rear.

Principle of Development

At the heart of the NPPF 2023 there is a presumption in favour of sustainable development (paragraph 11), which for decision-taking means that planning permission for applications involving the provision of housing should be granted, unless, in line with the requirements of paragraph 11(d):

- i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In this case, the application site is not protected or of particular importance. It is defined on the Policies Map of the Gravesham Local Plan Core Strategy 2014 as lying within the urban boundary of Gravesend. Policy CS02 of the Core Strategy 2014 states that development is prioritised in the urban area as a sustainable location for development. In light of this, there is no objection to the broad principle of residential development on this site, subject to the proposal being appropriate in terms of other planning issues; in this case, given the previous refusal, the main issues relate to the design of the proposal and the impact on the character and appearance of the surrounding area, and the impact on residential amenities.

Design, Character and Appearance

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 123), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF 2023. Relevant to this proposal, paragraph 128 of the NPPF states that development that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed places.

Consideration of the character of the area is a continuous thread throughout the planning policies relevant to this case. Policy CS14 of the Core Strategy 2014 sets out that new housing development is expected to provide a range of dwelling types and sizes, taking into account the existing character of the area.

Section 12 of the NPPF 2023 relates to achieving well-designed 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 stated to be a key aspect of sustainable development; it creates better places in which to live and work and helps make development acceptable to communities. Paragraph 135 of the NPPF 2023 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 existing property is a traditional two storey, 3 bedroom house with a single storey side addition and a forward projecting bay window to the front. It has a good size garden and space around the building.

Google Earth Front and Rear Aerial Images:



Current Google Earth Street View Images



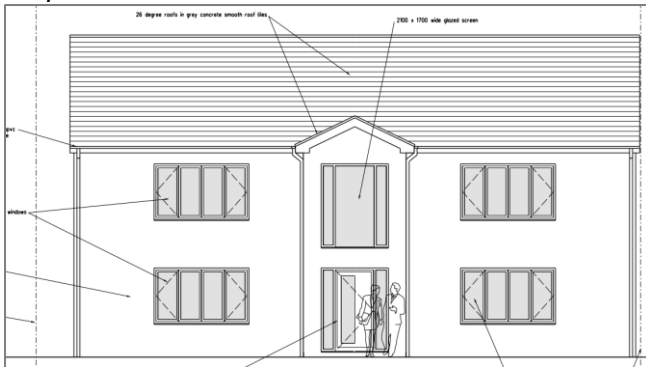
The age and style of properties along the road is mixed, with bungalows, chalets, and two storey dwellings. Despite the differences, there is a fairly uniform palette of materials across the properties (largely render and red brick walls and red roofs) and similarities in features, such as hipped roofs and projecting bay windows. Many of the surrounding properties incorporate different materials to add character to their appearance, with brick detailing/design to windows and doors, and render, brick or tile hanging to bay

windows or first floors.

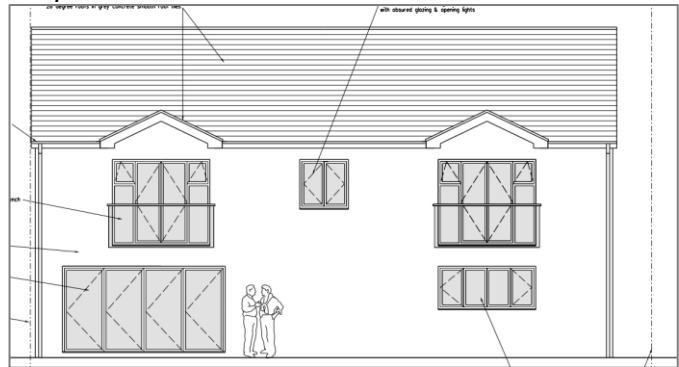
Previously, the size, bulk, scale and massing of the proposed dwelling was considered to be out of character with the area. The dwelling was excessively and unacceptably larger than the current dwelling on the plot, and compared to surrounding dwellings, with little side space and no relief at roof height with the proposed gable ends and an expanse of flat roof. Furthermore, the proposed materials and lack of detailing was considered to add to the incongruous nature of the building.

20231210

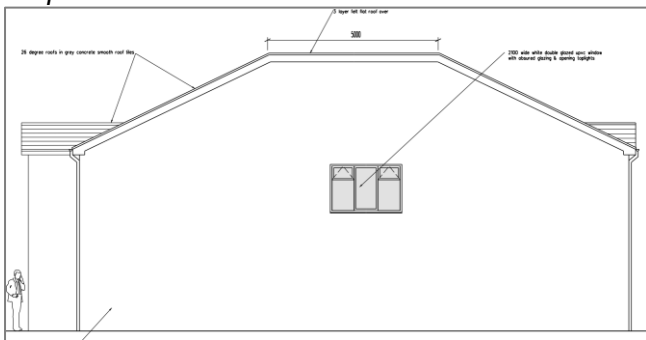
Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation



There are various amendments under the current proposal, involving moving the proposed dwelling away 1m from the boundary with No. 14 and reducing the depth of the building by 1.6m at first floor level at the rear:

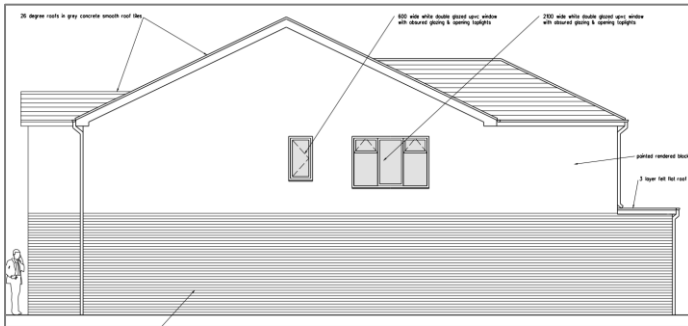
Proposed front elevation:



Proposed rear elevation:



Proposed Side Elevation



Whilst the size of the dwelling has not been significantly reduced and the building footprint remains large, there has been a decrease in the width of the house and an increase in space to the western side of the building, together with a reduction in the bulk of the roof and the depth of the building at first floor level. It is recognised that some of the surrounding properties extend up to their boundaries and that some building footprints are deep; the now proposed increase in side space will help open up the plot to a greater extent, and the revisions to the rear of the roof with a more subservient and less bulky rear element and a reduction in the first floor depth will improve the view of the proposed building in the street. It would have been preferable to have reduced the roof further with hipped ends, but the presence of the gable ends would not warrant a refusal given the overall improvements to the rear roof. The neighbour property has a gable roof.

The age and style of properties along the road is mixed, with bungalows, chalets, and two storey dwellings. The now proposed render and brick will fit better with the palette of materials across the properties (largely render and red brick walls and red roofs), and details of materials can be conditioned to ensure they complement the surroundings.

Altogether, these revisions are considered to have overcome the previous refusal ground and the layout and size of the proposed dwelling is more in keeping with the neighbouring buildings and the wider surrounding area.

Residential Amenity

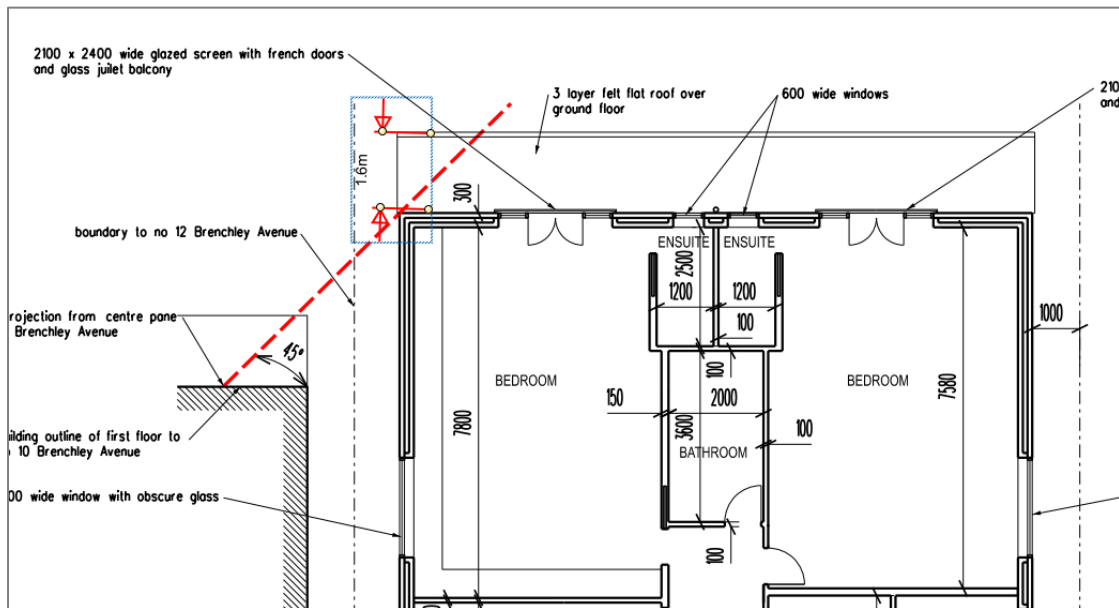
The NPPF 2023 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should 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

There were previously no issues with regards to future occupier amenity, and the revisions under the current proposal do not alter this conclusion. The proposal is therefore acceptable in terms of occupier amenity and would comply with the requirements of SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF 2023 in respect of providing a high standard of amenity and living conditions for future occupants.

Neighbouring Properties

The main properties that would be affected by the proposal would be Nos. 10 and 14 Brenchley Avenue. No. 10 is a 2 storey dwelling with a single storey garage to one side. It is set away from the boundary with No. 12 by approximately 1m. The previous proposal was considered to a dominant addition so close to this neighbour and was within a 45 degree sight line of the closest rear habitable room windows of No. 10. Under the current proposal, the depth of the property at first floor level has been decreased and it has been demonstrated that it would now clear the 45 degree sight line, addressing this previous concern:



No. 14 is set in slightly from its own boundary by approximately 1m. There are windows to the flank of No. 14, serving a breakfast room, WC and lounge (secondary windows) on the ground floor and a bathroom and stairway to the first floor, which are not all habitable rooms. Under the previous proposal, the proposed dwelling extended right up to the shared boundary on this side and was considered to create a sense of enclosure, loss of light and privacy. However, the revised proposal brings the building in 1m from the shared boundary and would extend less far back into the site with the reduction at first floor level. Given the revisions, and on the basis that the affected neighbouring windows are either not habitable or are secondary, the previous concerns relating to No. 14 are considered to have been addressed.

A concern has also been raised about the inclusion of Juliet balcony windows serving the rear bedrooms. The proposal also now includes a single storey flat roof element at the rear, which these windows would face onto. As part of the proposed details of materials condition it would be necessary to include details of these windows; the Juliet balconies should be designed to have a privacy screen and should be fixed, therefore preventing access onto this flat roof, and together with a condition preventing the use of the flat roof as a balcony, this is considered to be sufficient to protect neighbours' privacy.

It is noted that the proposed includes windows in the flank elevation. The plans indicate that these are to be obscure glazed, and a condition will be included to ensure this takes place. The condition will also specify that the windows can be top hung only, to further ensure there are no issues relating to privacy.

Overall, it is considered the proposal would have an acceptable impact on neighbouring properties in terms of outlook, privacy, and light. As such, the revised proposal complies with Policy CS19 of the Core Strategy 2014.

Parking and Highways

As previously, no car parking plan has been provided, but given the size of the front garden, the requisite two car parking spaces with direct access to the highway can be satisfactorily accommodated (this should be conditioned). The submitted plan should include the provision of appropriate soft landscaping; an entirely hard paved front garden would not be acceptable. In addition, with an additional bedroom to be provided within the proposed dwelling at the site, a cycle parking space would be required, and can be adequately accommodated, to comply with the requirements of KCC SPG4.

As the proposal involves a replacement dwelling, there would not be an adverse impact on parking and highway safety from the proposal, which would comply with Saved Policies T1, T5 and P3 of the Local Plan 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

Conclusion and Recommendation

The revised proposal is considered to be acceptable in terms of the design and impact on the application site and the character and appearance of the surrounding buildings and area, and with regards to neighbouring residential amenity. The proposal is considered to have overcome the previous refusal grounds and complies with the requirements of Policies CS11, CS14 and CS19 of the Core Strategy 2014, saved Policies T1, T5 and P3 of the Local Plan 1994, and paragraphs 115, 123, 128, 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:	Miss Faye Hobbs
Signed:	<i>K. Parkin</i>	Signed:	
Dated:	22 May 2024	Dated:	23 May 2024