

Delegated Report

Householder Planning Application

Planning Application No: 20211056

Location: 196 Lower Higham Road Gravesend Kent DA12 2NN

Description: Erection of detached garage and home office.

Applicant: Mr And Mrs Capek

Site Visit Date: 06/08/2021

Submitted Documents/Plans

- Application Form Received 23/08/2021;
- Drawing No: BDS-LHR-P901 (Existing Site Plan, Location Plan & Section AA) Received 23/08/2021;
- Drawing No: BDS-LHR-P902 (Proposed Site Plan, Location Plan & Section AA) Received 23/08/2021;
- Drawing No: BDS-LHR-P903 (Proposed Plans and Elevations) Received 23/08/2021;
- Drawing No: TRK01 (Swept Path Analysis) Received 08/10/2021.

Relevant Planning History

Reference	Description	Outcome	Decision Date
20140442	Erection of a single storey rear extension, side dormer for loft conversion to form bedroom and bathroom, and a canopy above the front door. Modifications to external finishes of elevations.	Permitted	01.07.2014
20150075	Erection of single storey rear extension, the construction of two dormer windows in the west roof slope including the raising of the roof ridge height by 1 metre, erection of a canopy above the front door.	Permitted	20.03.2015
20150574	Application for a non-material amendment to planning permission reference no. 20150075 to allow insertion of two additional windows on front elevation.	Permitted – Non Material Amendment	20.07.2015
20210287	**REVISED APPLICATION FORM** Erection of a detached garage, with car port and office/garden room	Refused	06.08.2021

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

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards

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 The review found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02 due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)

Consultations, Publicity and Representations

Highway Development Management Officer

No objection in principle

Neighbouring properties

The application was advertised by way of letter to nine surrounding properties. The consultation period expired on 15th September and three objections were received and three supporting comments were received. The main points raised in the objections were:

- Impact on outlook of a habitable room
- Concern of large commercial vehicles accessing site and impact on an existing parking space
- Concerns that the development will be used for business purposes and disrupt nearby occupiers
- Impact on quality of life
- Impact on view and light to a habitable room
- Height of the development
- Impact on the private road and potential damage and upkeep
- Concerns about noise from the development

The main supporting comments were:

- The garage will ease pressure on on-road parking
- Purpose built unit will be more advantageous and beneficial to the objectors than the potential for a concrete slab portable one from Garages R Us
- Reducing vehicles parked on the highway will improve the safety of pedestrians
- Proposal does not impact neighbours or the environment

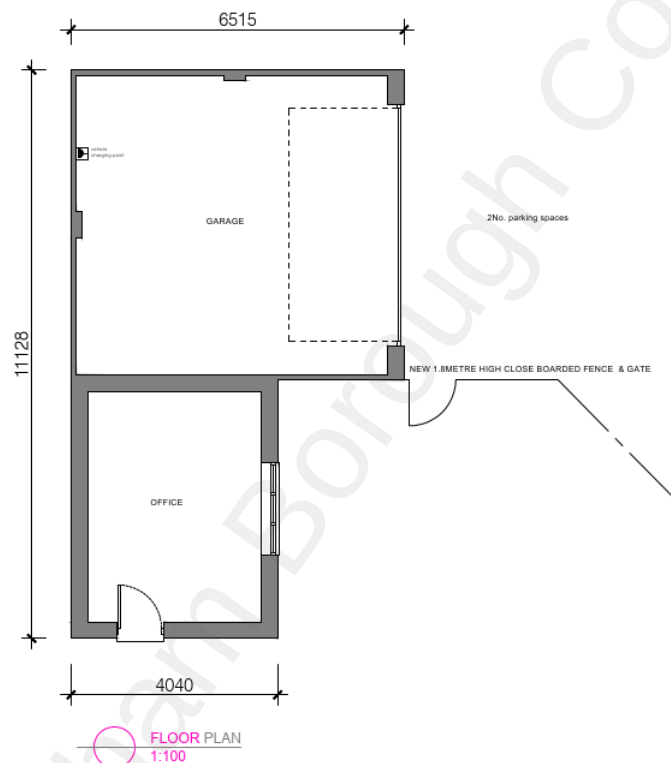
Analysis

Proposal

The proposal is for the erection of a detached garage and office with two parking spaces to the rear of the application property. The garage will have an opening to allow for parking inside. The plans also show an attached office with an independent door and window.

The building will have a depth of approx. 6.5 and a width of approx. 11m. The building will be finished with a flat roof which will have a very slight tilt to the North, the maximum height at its highest point will be 2.8m.

There will also be a 1.8m close board fence and gate which will be erected within the property boundary which will separate the parking area from the main garden.



Character and Appearance

The application property is a detached house situated on a generous plot. The property has been extended and modified in recent years including an increase in the overall roof height to allow for the creation of additional bedrooms in the roofspace. The rear garden alongside the garden of other neighbouring properties were sold in recent years to allow for the creation of five properties to the rear, now known as Readers Close.

The properties are accessed via a private road which runs to the side of the application property. The proposal will result in the applicant using the private road to access this garage. The proposed use of this private road for access to the outbuilding is not a material planning consideration and it should be noted that the applicant has signed a Certificate B to appease any potential concerns in regards to planning.

The property has a generous garden which is soft landscaped and includes a wooden shed with a monopitch roof.

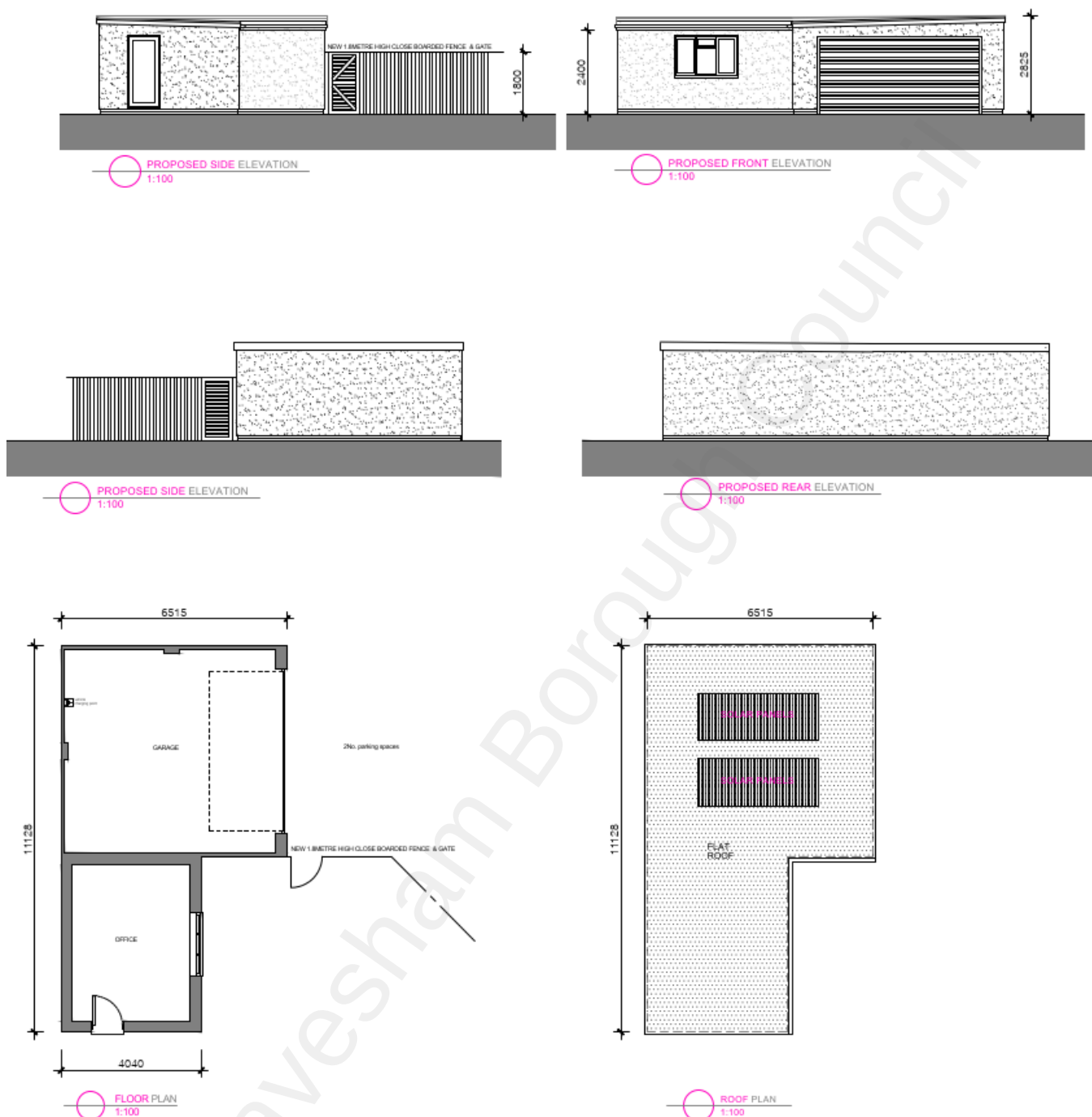


The applicant was recently refused permission to erect a detached garage, with car port and office/garden room under permission reference 20210287. The main reasons for refusal were the detrimental loss of impact to a nearby property. The applicant has now attempted to reduce the scale of the building and made a significant reduction in the roof height.

The proposed garage is to be used as an office and garage. It should be noted that having a home office should not be confused with running a business from home. From time to time it is the case that occupants may work from residential premises as seen during the pandemic, however using the premises for the sole purpose of a business would require the benefit of planning permission which is not the case in this instance. Therefore should permission be forthcoming, a condition would be imposed that the office can only be used by the occupants of the property and that a business cannot be run from the premises.

The proposed outbuilding will be situated to the south at the end of the garden and it has been reduced in terms of height and the car port element removed. The development will be set back 1m from the boundary and span 6.5m across with an overall height of 2.8m. It should be noted that the proposed outbuilding will be adjacent to a recently completed back land form of development consisting of single storey bungalows.

Below are the original plans under reference 20210287



It is evident the revised proposal is a significant reduction in terms of height, scale and bulk and the new proposal is considered a more appropriate form of development in comparison to the original large overbearing structure. It should also be noted that the applicant is able to construct an outbuilding under permitted development, the permitted development rules would allow a taller structure if set 2m away from the boundary.

In terms of materials, the building will be finished with a black rubber membrane roof and render, however if permission is granted, to ensure a satisfactory visual relationship between the existing house and the proposed development a condition will be imposed to ensure materials and colours to be used in the construction of the external surfaces of the outbuilding should match the existing house.

In terms of design the revised submission is considered an improvement on the original size and is acceptable in both scale and size.

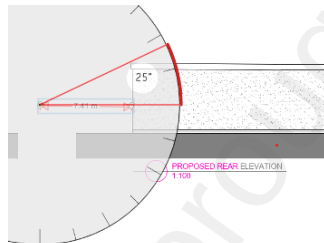
Amenity of Future Occupiers

Post development the garden has sufficient space to comply with the council's technical standards and so there are no concerns in this regard as the proposal adequately safeguards the amenity of future occupiers.

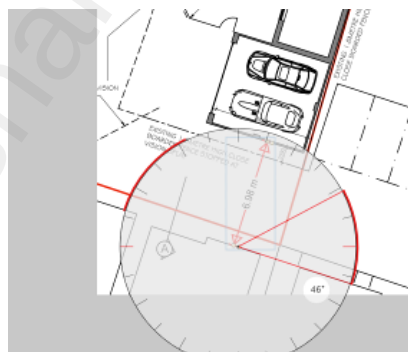
Neighbouring Amenity

The proposal has been subject to several objections of some of the points raised are non-planning matters and cannot be considered as part of the planning process.

The revised proposal has resulted in a significant reduction in terms of height and scale and it is unlikely this building will have a detrimental impact on the outlook of nearby occupiers. The 25 degree test was carried out to assess whether the revised proposal would impact a habitable room of the nearest property situated at 1 Readers Close. As can be seen below the revised structure would not affect the 25 degree site line.



The 45 degree test was also conducted and it is evident that this test is also satisfied with the revised proposal. The proposed garage is not liable to affect light or privacy to surrounding occupiers due to the path of the sun and there are no windows or openings which directly look upon surrounding properties. In order to further maintain privacy a condition will be imposed to ensure that there are no further window or door openings which could impact neighbours privacy.



In terms of the types of vehicles accessing the garage, this is not a material planning consideration and the planning service is unable to control the types of vehicles which visit the application site. Furthermore the maintenance and repair of the private road would be a civil matter which cannot be considered as part of the planning process.

Parking and Highways

The highways officer was consulted and his comments stated:

"Whilst it would be beneficial to have a vehicle sight line (2.4m x 11m for 10mph) where the drive meets

the access, this arrangement is no different to other rear access arrangements throughout the country and so would be impossible to sustain at appeal. I have no objections providing the office use is restricted to ancillary to the occupation of the main dwelling to ensure it does not result in additional traffic to and from the property”

The submitted information demonstrates that there are adequate vision splays and the submitted tracked path analysis satisfies that there is adequate space for access and egress from the garages.

In order to ensure that the garage is kept accessible and retained for parking a condition will be imposed to ensure the garage is used for the purpose of vehicular parking only and that no vehicles are parked in front of it to ensure there is access to and from the garage. A further condition will be imposed as per the recommendation of the highways officer to ensure use is restricted to ancillary to the occupation of the main dwelling

Conclusion & Recommendation

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

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	11.10.21	Dated:	11.10.21