



Delegated Report

Householder Planning Application

Application No:	20220034
Location:	5 Hillary Avenue, Northfleet, Gravesend, Kent, DA11 8NS
Description:	Erection of and outbuilding in the rear garden to form gym, storage and shower room.
Applicant:	Kelly Hancock
Site Visit:	N/A Desktop Assessment

Procedural Issues

The property is a Gravesham Borough Council (GBC) owned property and the applicants are tenants. The application form served Certificate B on GBC. Therefore, in planning terms they have served notice on the Council as landowners the correct legal procedure has been undertaken and the application will be determined against local and national planning policy.

However if planning permission is to be granted, the application would have to obtain the landowners consent before undertaking works. The ownership and tenancy agreements in place between GBC and the tenant are a non-material planning consideration, but are civil matters that planning cannot intervene in.

Submitted Documents/Plans

Application Form (Certificate B) - dated 14/01/2022

Drawing no. D01 - Site Location Plan (scale 1:1250) - dated 16/03/2022;

Drawing no. D02 - Existing and Proposed Block Plans (scale 1:500) - dated 11/03/2022;

Drawing no. D03 - Proposed Outbuilding Floor Plans - dated 11/03/2022;

Drawing no. D04 - Proposed Outbuilding Elevations - dated 11/03/2022.

Plan Note

The proposed block plan is erroneous and shows the outbuilding as larger than detailed on the plans/elevation drawings, perhaps due to the emboldened lines of the outbuilding. Nevertheless, the assessment has been made using the dimensions on the plans/elevation drawings and the block plan was utilised as a visual aid. If planning permission is granted, an informative will be attached to the Decision Notice that addresses this error and state that the dimensions are taken from the plan/elevation drawings.

Relevant Planning History

No relevant planning history.

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 (2021) 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 (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- Section 2 - Achieving Sustainable Development
- Section 12 - Achieving sustainable development and well-designed places

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020;
- SPG 4 - KCC Parking Standards (2006)

Consultations, Publicity and Representations

Consultees

Ward Councillors - No comment received.

Neighbouring properties

Seven surrounding properties were consulted and no representations were received. The consultation period expired 8th February 2022.

Preliminary Matters

The originally submitted plans showed the guttering of the outbuilding encroaching over the shared boundary with the neighbour (no. 7 Hillary Av). The agent submitted revised plans (14/03/2022) with the guttering removed and the outbuilding no longer encroaching over the boundary.

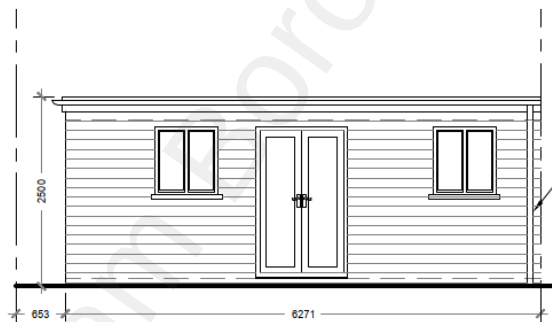
Officer's Analysis

Design, Character and Appearance

5 Hillary Avenue is a two storey semi-detached property located on the northern side of the highway. The property has not previously been extended.



This application seeks permission for an outbuilding in the rear garden for use as a store, gym and shower room. The outbuilding will have a flat roof with a height of 2.5m, a depth of 5m and a width of 6.271m. It will be located towards the rear of the garden, but is set in from the northern (rear) boundary by a minimum of 0.5m and the western (side) boundary by a minimum of 0.5m. The set in from the side boundary allows access to the rear for maintenance of the space.



The garden post-development will have an area of approximately 110.7m².

The outbuilding will be constructed using timber, finished with external timber cladding and have uPVC fenestration. There will be two windows and a set of patio doors on the front elevation of the outbuilding.

Overall, the outbuilding is not excessive in size or height, will be finished in appropriate materials and will have no impact on the character or appearance of the street scene. As such, the proposal is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan: Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2021).

Amenity of Future Occupiers

The outbuilding will occupy the rear of the garden, however, post-development, the garden will have an area of 107.3m² and a depth of 14.5m. This is in accordance with Gravesham's Residential Layout Guidelines (RLG) (2020) for a 3 bedroom property. As such the development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Neighbouring Amenity

The outbuilding hereby proposed is not considered to cause material harm to the amenity of any adjoining properties in terms of loss of light, outlook, privacy or sense of enclosure. No representations were received by neighbouring properties, the outbuilding is not excessive in height, will have a flat roof and is located at the rear of the garden. Therefore, the development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Suggested Conditions

A condition will be attached to the decision notice to ensure that the outbuilding does not contain any primary living accommodation, and that no business use will operate from or within the building, at any time.

A condition will be attached to the decision notice to ensure that no gate, fence or other means of enclosure are erected or consulted on the site which would subdivide the existing residential curtilage.

A condition will be attached to the decision notice to ensure that the window serving the bathroom will be obscure glazed.

Conclusion

The application is in accordance with Local and National planning policy and it is recommended that the proposal is permitted subject to conditions. An informative will be attached to the Decision Notice to ensure that the applicants seeks permission from the landowner prior to any construction taking place.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	22 nd March 2022	Dated:	23rd October 2022