



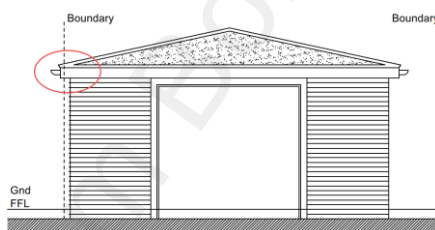
Delegated Report

Householder Planning Application

Application No:	20220779
Location:	Land To Rear Of 20 Lewis Road, Lewis Road, Istead Rise, Gravesend, Kent, DA13 9DA
Description:	Erection of an outbuilding to be used as garage
Applicant:	Mr Ronnie Barnard
Site Visit:	14 th November 2022

Procedural Issues

The application proposes the erection of a garage, which encroaches over the boundary and onto the shared access road. This encroachment requires notification of the landowner(s) through the correct certificate on the application form. The application form has been completed with Certificate A, as the landowner, and therefore is incorrect.



If permission were likely to be forthcoming, the agent would have been contacted regarding this procedural error and the correct notice served.

Submitted Documents/Plans

Application Form - dated 12/07/2022;
Drawing no. 001 - Site Location Plan (scale 1:1250);
Drawing no. 002 - Rev. B - Existing and Proposed Block Plans (scale 1:500);
Drawing no. 003 - Rev. D - Proposed Plans, Elevations and Section A-A.

Relevant Planning History

Reference	Description	Decision	Decision Date
20201352	Erection of an outbuilding to be used as office space.	REFUSED	26.02.2021
20200802	Erection of new outbuilding to be used as office space.	REFUSED	08.10.2020
20010742	Erection of single storey rear extension to form family room, kitchen/diner and bathroom/wc.	PERMITTED	22.10.2001

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS11 - Transport
- CS12 - Green Infrastructure
- CS18 - Climate Change
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 - Vehicle Parking Standards
- T1 - Impact of Development on the Highway Network

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 Well-Designed Places

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)
- Gravesham Landscape Character Assessment (2009)

Other Supplementary Planning Guidance

- Department for Transport's Manual for Streets (2007)
- Kent County Council vehicle crossing guidance (2022)

Consultations, Publicity and Representations

Consultees

GBC Highways Officer - I have two issues, the first as you have picked up is the pedestrian visibility splays, which should be 2 metre x 2 metre either side of the driveway, this being particularly important with the changes in the Highway Code, with drivers having to give way to pedestrians at junctions.

The second would be covered by a condition, as no details are given regarding the garage door which at no time should oversale the highway in the interests of highway safety.

Local Ward Councillors - No comment received.

Neighbouring properties

Six surrounding properties were consulted and two representations were received. Both representations registered concerns with the proposed development, raising both material and non-material planning

considerations which are listed below.

(Please note only the material planning considerations are relevant to this decision)

Material Planning Considerations

- Concern with commercial use of the garage
- Overhang of eaves/guttering into access lane
- Windows opening into the access lane
- Refuse storage

Non-Material Planning Considerations

- Relocation of street furniture
- Drainage Issues
- Factual Misrepresentations (errors on application form) - applicant not registered to the address provided

The consultation period expired 17th October 2022.

Preliminary Matters

The site has been subject to previous applications proposing the erection of an outbuilding for use as office space, both of which were refused planning permission by the Local Planning Authority. Although this application proposes the erection of a garage outbuilding, which is a different use to the previously refused developments, key issues remain relevant.

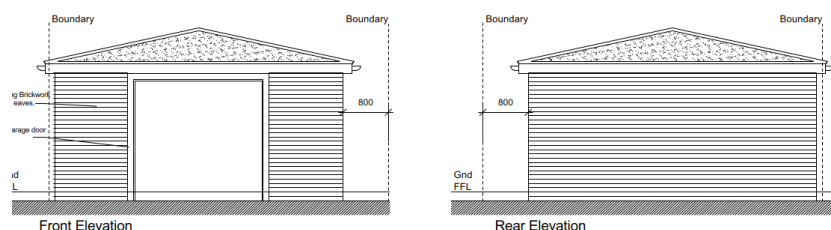
Officer's Analysis

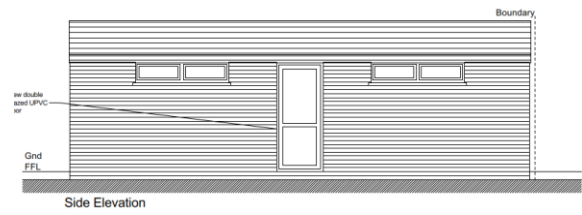
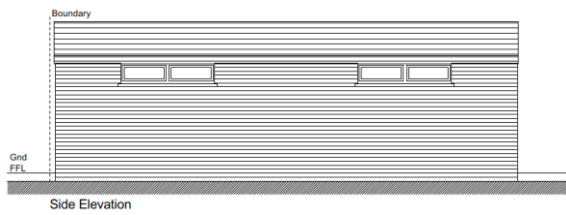
The site is located on Elwill Way, Istead Rise, which is a street comprising mainly of family occupied bungalow dwellings, set back behind front gardens and driveways. It is a vacant plot to the rear of no. 20 Lewis Road, directly adjacent an access lane serving properties on Elwill Way, Lewis Road and Upper Avenue. The plot measures approximately 6.2m wide by 9.7m deep.



The land currently contains no built form of development, but is enclosed on all sides by close board fencing.

This application seeks planning permission for the erection of a garage/store. There will be a side access door on the eastern side, with two high level windows on each flank elevation.





The garage outbuilding will be constructed using facing brickwork. It will have a pitched roof with a maximum height of 3.05m, an eave height of 2.48m, a width of 5.1m and a depth of 8.875m.

Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive, fit for purpose and locally distinctive. It also seeks to conserve and enhance the character of the local built, historic and natural environment and integrate well with the surrounding local area, whilst ensuring that 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, the quality of the public realm and the character of the area.

The application site is located to the rear of no. 20 Lewis Road, onto Elwill Way. Elwill Way is characterised by bungalows that are set back from the highway, with landscaped gardens and driveways, which creates an open and spacious character.

The proposed plot is a small parcel of land, located between the garage serving no. 20 Lewis Road and the access road. The garage would occupy a significant proportion of the plot and would seriously undermine the established open, spacious character and appearance of the street. It would occupy majority of the plot and would be built close to the pavement edge, which leads to an overly prominent presence in the street scene and an uncharacteristically prominent feature on such a small plot. This would give the impression of a cramped development, that the building has been squeezed into the plot, which is at conflict with the prevailing characteristics of Elwill Way.

These considerations were made in the previous refusals (refs. 20201352 / 20200802) regarding the design of the outbuilding, which although for a different use has not materially changed as part of this application. Therefore, these issues remain relevant and the proposal will be refused on design grounds contrary to Policy CS19 (LPCS) and Section 12 (NPPF).

Residential Amenity

Policy CS19 (LPCS) seeks to protect amenity and ensure acceptable future living conditions. Section 12 of the NPPF (2021) also assists and seeks to ensure developments will function well, do not undermine quality of life and create attractive and comfortable places to live, work and visit and seeks to “secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

The proposed outbuilding is not considered to have a detrimental impact on residential amenity. The garage use is similar to other outbuildings in the area and will not impact on light, privacy, outlook or result in any sense of enclosure.

The concerns raised by neighbours related to the matters relating to the use of the garage, impacts on the access road and refuse storage. The concerns with the development impacting on the use of the access road relate to amenity, however the other concerns relate to other matters and will be discussed in later sections of this report.

The eave overhang and potential outward opening windows were raised by neighbours as impacting the access road. It was noted on site that the access road is narrow, with a width of 3m and that the eave overhang and guttering would overhang the boundary by 0.4m. Therefore, the garage will impact on larger vehicles and high-sided vehicles accessing the lane, and is considered to be detrimental to the amenity of

neighbouring properties by virtue of limiting access to garage and parking at the rear of their properties. The windows are not sufficient to refuse the application as these could be conditioned to be non-opening.

As such, by virtue of limiting accessibility of all vehicles to the service lane the proposed garage is considered to have a detrimental impact on the amenity of surrounding residents and an unneighbourly form of development, contrary to Policy CS19 (LCPS) and Section 12 (NPPF).

Parking and Highways

The proposed garage is located adjacent to a vehicular access road, which serves numerous properties on different nearby streets. The garage is positioned 0.7m from the edge of the footway on Elwill Way and fails to accord with pedestrian visibility splay requirements for vehicles exiting the new garage and impedes visibility of those exiting the access road. Highway Guidance, at both national and local levels, state that pedestrian visibility splays of 2m x 2m should be provided on either side of an access, and in this case also the garage, which the proposed garage fails to achieve and also limits visibility of other vehicles. Gravesham's Highways Officer has recommended that the development is refused due to risk to pedestrians by virtue of the inadequate visibility splays.

In addition, the Highways Officer raised concerns with the potential for the garage door opening onto and oversailing the footway. This matter could be addressed by planning condition and is not sufficient grounds to refuse the application. However, the garage door only has a width of 2.3m and is undersized for modern vehicles. Gravesham's adopted parking standard (SPG4) (2006) sets out a minimum width for a parking bay should be 2.4m and it is considered that this dimension is directly comparable to a garage door. Therefore, the viable use of the outbuilding for the parking of modern vehicles is questioned and the garage is not considered suitable for its stated purpose.

As such, the proposal is contrary to Policy CS11 (Transport), saved Policies P3 of Gravesham's Local Plan First Review (LPFR) (1994), SPG4 Vehicle Parking Standards (2006), Department for Transport's Manual for Streets (2007) and Kent County Council vehicle crossing guidance (2022).

It is important to note that the proposed development would interfere with the lamppost, which would need to be moved to accommodate vehicles accessing the garage. However, this is not a material planning consideration and, if permission were to be granted, would be dealt with by the highway authority (Kent County Council), as part of the dropped kerb application.

Any Other Material Planning Considerations

Use of the Garage - The application proposes the erection of a garage, which from the information provided would be for residential purposes and vehicle parking. Nevertheless, concerns were raised by neighbour regarding the potential use of the building for commercial operations. Although a material planning consideration the use of the garage could be addressed by way of planning conditions, if permission were forthcoming, and is therefore not sufficient grounds to refuse the application.

Refuse - Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste. A residential garage would not generally require own waste storage and therefore it is not considered a reason to refuse this application.

Impact on the Landscape - the application site is located within the Istead Arable Farmlands Landscape Character Area. This area is characterised by gently undulating topography of open arable farmland, dissected by minor open roads with the exception of the larger A227. The site is located within the Istead Rise housing development.

Policy CS12 (LPCS) seeks to protect the green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

The proposed outbuilding will have no impact on the character of the landscape by virtue of the site's

location within the rural settlement. As such, the development is in accordance with Policy CS12 (LPCS).

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The development by reason of its location, scale, form, design and plot coverage would introduce an uncharacteristically prominent addition to an awkwardly small plot which would erode the established spacious and open character of this part of Elwill Way to the detriment of the visual amenities of the local area, contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).

In addition, the garage is harmful to the amenity of surrounding residents, by virtue of overhanging eaves and guttering which limits access for all vehicles to garages and car parking, and is considered an unneighbourly development contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).

Moreover, the garage has substandard access for modern vehicles contrary to parking guidance SPG 4 (2006) and represents a risk to pedestrian safety by failing to provide 2m x 2m pedestrian visibility splays and limiting visibility of other vehicles exiting the access road. Therefore, the proposal is contrary to Policy CS11 (Transport), saved Policies P3 of Gravesham's Local Plan First Review (LPFR) (1994), SPG4 Vehicle Parking Standards (2006), Department for Transport's Manual for Streets (2007) and Kent County Council vehicle crossing guidance (2022).

Recommendation

Refusal

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

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	14 th November 2022	Dated:	15 November 2022