



Delegated Report

Application No: 20220626

Location: 145 Waterdales, Northfleet DA11 8HY

Description: Application for removal of condition 4 and 5 attached to planning permission reference no. 20050329 for the conversion of post office into a residential dwelling; to allow alterations to be made to the house.

Applicant: Mrs Sheila Gopinathan

Site Visit Date: Desktop

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form
Covering letter
Revised block plan
Photos
OS Plan

Relevant Planning History

20050329	Conversion of post office into a residential dwelling.	Permitted	22.06.2005
----------	--	-----------	------------

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Paragraph 33 of the National Planning Policy Framework (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) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

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

- P3 – Vehicle Parking Standards

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)
- Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

Highway Development Management Officer

Looking at the original application, I note that the property may have been three bedroom upstairs with the dining room downstairs which may also have served as a lounge for the post office.

I note the rear access appears to have been gated and the Google satellite image is limited in what it shows, although it does show a concrete access way near the gates. I assume the gates were installed under a Gating Order or similar and as such the householder should have been supplied with a key. (This I believe would post date the original planning permission) It needs to be confirmed that the applicant has the key or can obtain a copy to permit access to the rear access and that vehicular access is viable, a photo should suffice.

So subject to confirmation that the vehicular access to the rear of the property is still viable, key and the access has not become overgrown, I see no reason to object to the restoration of PD rights.

Neighbouring properties

The application has been advertised by site notice and individual letters to five neighbouring properties. No letters of representation have been received.

Analysis

Proposal

The application has been submitted as a section 73 application and the Local Planning Authority has judged the principle of the development acceptable with the approval of 20050329 (Conversion of post office into a residential dwelling.)

For the purposes of this application no fresh issues can be introduced and only the issues relating to the removal of condition 4 and 5 can be considered.

Paragraph 017 of the Planning Practice guidance states 'There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been

approved.

This application seeks planning permission for the removal of condition 4 and 5 attached to planning permission reference no. 20050329 for the conversion of post office into a residential dwelling; to allow alterations to be made to the house and to reflect the garage is no longer available

Condition 4 stated:

4 Notwithstanding the provision of Article 3 of and Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, no enlargement, improvement or other alteration to the dwelling, as hereby permitted including the insertion of windows or an addition or alteration to its roof shall be carried out without the prior written permission of the District Planning Authority having first been obtained

The reason for this condition was:

4 In order that any further alterations of the building may be the subject of a separate planning application which the District Planning Authority would wish to consider on its merits having regard to the impact on the privacy and amenity of the occupants of adjoining dwellings

Condition 5 reads:

5 The garage building in the rear shall be used for the accommodation of private vehicles for the residential occupants of the dwelling hereby permitted and no trade or business shall be carried on therefrom

The reason for this condition:

5 That the development without provision of the vehicle parking area is likely to lead to inconvenience and danger by virtue of vehicles parked on the public highway

Part 1 of Schedule 2.

The application site is located within an urban area where the principle of development is acceptable.

The application building is a former Post Office that was granted permission in 2005 to become a residential property. The conditions of the permission removed permitted development rights for all of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 1995. Permission is therefore required for:

- Class A – enlargement, improvement or other alteration of a dwellinghouse
- Class B – additions to the roof of a dwellinghouse
- Class C – other alterations to the roof of a dwellinghouse
- Class D – porches
- Class E – buildings etc. incidental to the enjoyment of a dwellinghouse
- Class F – hard surfaces incidental to the enjoyment of a dwellinghouse
- Class G – chimneys, flues etc. on a dwellinghouse
- Class H - microwave antenna on a dwellinghouse

In terms of Class A, the plot has a large rear garden that could accommodate an extension that is permitted under this class. There is no space to the side and therefore a side extension is not possible. A rear extension would only be able to be single storey due to the semi-detached nature of the property and therefore is unlikely to impact on the street scene or neighbouring amenities. Therefore, there are already limits to what can be achieved under permitted development and no

objection is raised to the removal of this part of the condition.

Class B relates to dormer windows. These are only permitted to the rear and therefore would not be readily visible from the street scene. The garden is over 27m long and therefore no overlooking would occur. No objection is raised to the removal of this part of the condition.

Class C relates to other alterations such as rooflights. Again, the street scene is mixed and there are other rooflights. In addition, most properties have PD rights for rooflights and so they can be installed at a later date. No objection is raised to the removal of this part of the condition.

Class D relates to porches. In this case a porch could not be built without planning permission as the front door opens out onto the highway so Class D is not required and can be removed.

Class E relates to outbuildings. The rear garden is large and there are many other outbuildings visible in the rear gardens of neighbouring properties and therefore no objection is raised to the removal of this part of the condition.

Class F relates to hardstandings. Again, the property is built hard-up against the highway and therefore is not relevant to this property.

Classes G and H relate to chimneys, flues and microwave antenna. As the street scene is mixed, no objection is raised to the removal of this part of the condition.

Parking and Highways

The application approved in 2005 described a garage/store to the rear. Despite there being no objection from highways officer at that time a condition was imposed that the garage should be retained for parking (condition 5). The applicant has been approached about this and she confirmed that, along with the house, the garage is dilapidated. She confirmed (and provided proof) that she has access to the rear via the gated alleyway to the west and can provide off road parking to the rear. The property is three bedroom and any additional bedrooms would not require any additional off road parking.

No objection is raised on highways grounds.

Conclusion

The removal of condition 4 and 5 of 20050329 will allow the owners to build extensions to the rear and in the roof, neither of which will have a significant impact in terms of the street scene, neighbouring amenity or parking and highway safety, and therefore no objection is raised.

Recommendation:

Approve.

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>

Dated: 26 July 2022	Dated: 26th July 2022

Gravesham Borough Council