



Delegated Report

Planning Application - Householder

Application no: 20211131

Location: 16 Elliott Street Gravesend Kent DA12 2JP

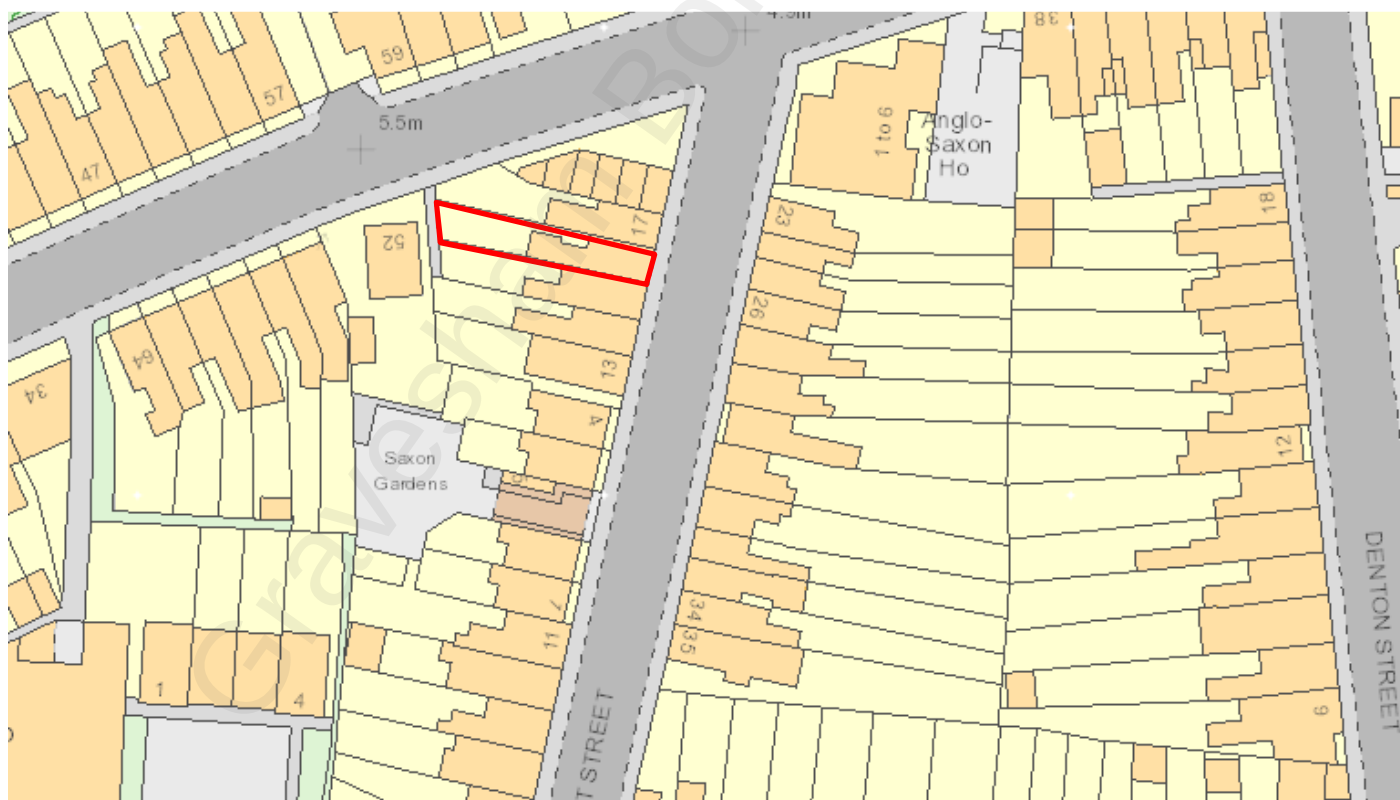
Description: Erection of a single storey rear extension, erection of rear dormer and conversion of the roof space to form habitable rooms.

Applicant: Ana Serban

Site Visit Date: 18 October 2021

Site and Surroundings

The application property is a two storey (2 up/2 down) extended late Victorian terraced dwelling on the west side of Elliott Street Denton (see red line plan below). It is rendered externally and has a slate roof with a roof light in the rear roof slope. It comprises at ground floor a living room and dining room and with a kitchen and bathroom in a rear single storey extension and with two double size bedrooms at first floor.



Properties in Elliott Street are mainly of the same age and style with only no 29 being three storey. There is some more modern development on the west side further to the south in Elliott Street (built on the site of former lock up garages) and also on the corner of Elliott Street and Raphael Road, both schemes built for by Anglo Saxon Housing.

The property is shown in the Google aerial photographs below.



Planning History

No planning history

Proposal

The proposal is described as being for the erection of a single storey rear extension, erection of rear dormer and conversion of the roof space to form habitable rooms.

Plans and Documents, as amended

Application Form;

Drawing No 450.1110 - P02: Location Plan and Site/Block Plan - Existing and Proposed;

Drawing No 450.1610 - P02: Floor Plans as Existing;

Drawing No 450.1620 - P02: Elevations as Existing;

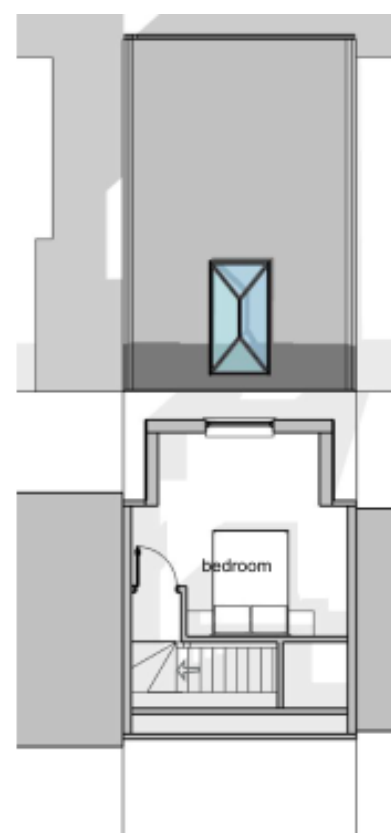
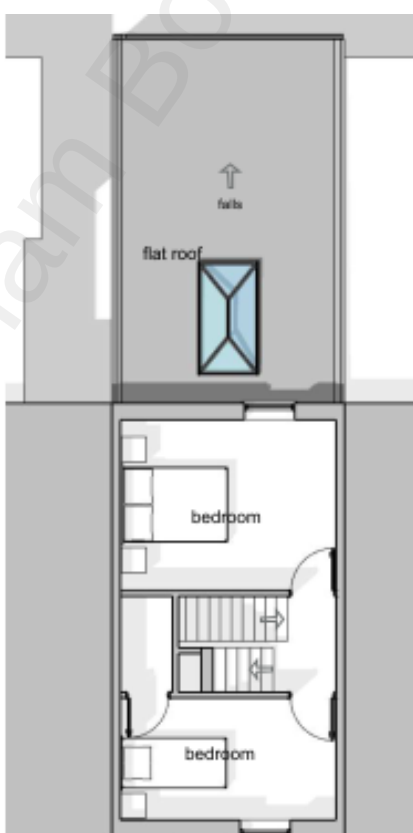
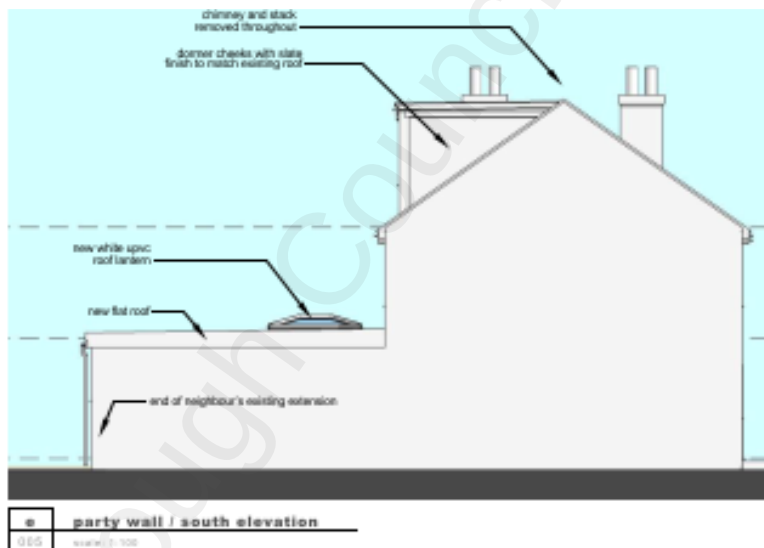
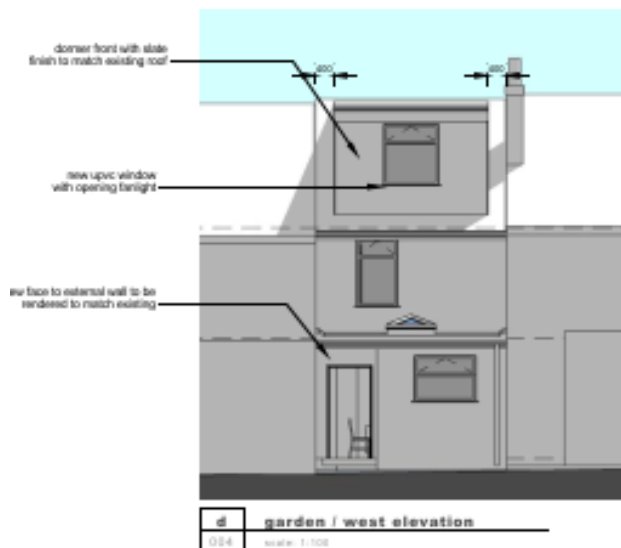
Drawing No 450.1710 - P03: Floor Plans as Proposed;

Drawing No 450.1720 - P02: Elevations as Proposed;

Note: There was an error on the originally submitted drawings in relation to the depth of the neighbour's extension, although the site plan/block plan was not correspondingly amended and is incorrect.

Details of the Development

Below are the rear and side elevations of the development and the proposed floor plans. The rear dormer will extend from just below the ridge and 200mm up from the eaves and set in 400mm from the sides of the roof. The rear extension will infill the 'tunnel' between the existing rear extension and the flank wall of the neighbouring extension at 17 Elliott Street and will be 1.3m wide by 6.5m long. One of the existing double bedrooms at first floor will become a single room to accommodate a staircase.



Development Plan and other Relevant Planning Policies and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.¹

Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

The Development Plan for Gravesham comprises:-

- *The Gravesham Local Plan Core Strategy (September 2014)*
- *Remaining Saved Policies of the Local Plan First Review (1994)*
- *The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)*

There are a number of other planning policy documents which are of some relevance to the consideration of planning applications and are material considerations, including national planning advice and guidance in the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), and supplementary planning guidance, and, where they exist, neighbourhood plans. There are currently no adopted neighbourhood plans.

Previous decisions on planning applications and appeals relating to the site and relevant case law etc. are also capable of being material considerations.

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

The application site is shown as being within an **urban area** (Policy CS02) as defined in the Gravesham Local Plan Core Strategy Policies Map.

The most relevant policies from the adopted Core Strategy in relation to this development are as follows:

- Core Strategy Policy CS01: Sustainable Development
- Core Strategy Policy CS02: Scale and Distribution of Development
- Core Strategy Policy CS11: Transport
- Core Strategy Policy CS12: Green Infrastructure
- Core Strategy Policy CS18: Climate Change
- Core Strategy Policy CS19: Development and Design Principles

Policy CS01 (Sustainable Development) sets out that support will be given to proposals that accord with the development plan. A positive approach to new development will be taken that reflects the presumption in favour of sustainable development set out in the NPPF and the Local Plan Core Strategy

Policy CS02 (Scale and Distribution of Development) sets out the Council's development strategy which prioritises focussing new development in the urban area and rural settlements inset from the Green Belt.

Policy CS11 (Transport) sets out that new developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel.

¹ See the Judgement in the Court of Appeal on R(on the application of William Corbett) and The Cornwall Council and others [2020] EWCA Civ 508 at <https://www.bailii.org/ew/cases/EWCA/Civ/2020/508.pdf>

Sufficient parking in new development will be provided in accordance with adopted parking standards reflecting the availability of alternative means of transport and accessibility to services and facilities.

Policy CS12 (Green Infrastructure) requires that there should be no net loss of biodiversity in the Borough and gives protection amongst other things to internationally designated sites. It sets out that the overall landscape character and valued landscapes within the borough will be conserved and enhanced, with greatest weight being accorded the Kent Downs AONB. In other areas, the Gravesham Landscape Character Assessment and any relevant Cluster Study should be taken into account.

Policy CS18 (Climate Change) seeks to ensure that Water Framework Directive objectives are secured and that the impact of development on waste water drainage systems is minimised. Surface water run-off from all new development should, as a minimum, have no greater adverse impact than the existing use. It requires the use of Sustainable Drainage Systems where technically and financially feasible. It requires the water efficiency measures to be installed to achieve the equivalent of level 3/4 of the Code for Sustainable Homes (105 litres per person per day)²

Policy CS19 (Development and Design Principles) sets out detailed criteria against which the acceptability or otherwise of proposed development will be evaluated. In particular it requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built and natural environment and integrate well with the surrounding local area and meet anti-crime standards. 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 and to the character of the area.

It requires account to be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings and of the wider context including features of townscape and landscape value, which contribute to local character and sense of place.

It requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and avoid adverse environmental impacts from pollution. New residential development is required to accord with the adopted Residential Layout Guidelines and will be required to provide appropriate levels of private and public amenity space.

Proposals should include details of appropriate hard and soft landscaping, protect and where opportunities arise enhance biodiversity and provide appropriate facilities for the storage and disposal of waste.

Gravesham Local Plan First Review 1994

The Gravesham Local Plan First Review was originally adopted in November 1994.

A substantial number of policies of the Gravesham Local Plan First Review were saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 as transitional arrangements pending adoption of the Core Strategy.

Saved policies contained in the Gravesham Local Plan First Review should still be accorded significant weight, albeit that the weight accorded should be greater where policies are consistent with the National Planning Policy Framework (NPPF, paragraph 215).

Those Local Plan First Review policies that remain in force are listed in Appendix 1 of the Local Plan Core Strategy. The remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document.

The following remaining saved policies are relevant to the consideration of this application:

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

Saved Policy T1 requires that all proposed developments are adequately served by the highway network

² Now equivalent to 110 litres per person per day as required by National Standard – see GBC Housing Standards Policy Statement (2015) at http://www.gravesham.gov.uk/__data/assets/pdf_file/0016/201625/Housing-Standards-Policy-Statement.pdf

identified on the Proposals Map.

Saved Policy P3 requires development to make provision for vehicle parking, in accordance with the Kent County Council Vehicle Parking Standards, as interpreted by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site.

Review of the Local Plan

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 it 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 adoption and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan First Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these in due course.

Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020

The Council published in 2020 a Regulation 18 (stage 2) consultation on its proposed Development Management Policies Document, replacing the 2018 Stage 1 version, which will in due course form part of and update the Gravesham Local Plan. Under paragraph 48 of the NPPF 2021, policies in this document may be accorded weight in the decision making process with this varying according to its stage of preparation; the extent to which there are unresolved objections; and the degree of consistency of policy with those in the Framework. As the Development Management Policies Document is at an early stage and the fact that the consultation has only recently concluded, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant policies reflect those set out in the Framework and for the purposes of this application these should be relied on instead.

The following draft policies from the Regulation 18 (Stage 2) Development Management Policies Document (2020) show the direction of travel the Council is going and are considered as being relevant to the consideration of this application albeit the weight that these emerging policies may be accorded at this stage is very limited.

Proposed Policy INF 2: Transport Design Principles;
Proposed Policy INF 3: Understanding and Mitigating Transport Impacts;
Proposed Policy INF 5: Electric Vehicle Charging Points;
Proposed Policy RES 2: Residential Space Standards;
Proposed Policy RES 4: Domestic extensions, outbuildings and other development
Proposed Policy AM 4: Sunlight and Daylight within New Development;

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) July 2021 is a material consideration.

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11) which means approving development proposals that accord with the development plan without delay and where there are no relevant development plan policies or where the policies are out of date planning permission should be granted unless policies of the Framework provide a clear reason for refusing the development such as where land is designated as Green Belt or any adverse impacts would so significantly and demonstrably outweigh the benefits or specific policies in the NPPF taken as a whole.

The NPPF includes (in paragraph 8) three overarching objectives to achieving sustainable development:

- An economic objective;

- A social objective; and
- An environmental objective.

The following paragraphs are specifically highlighted as being of importance to the consideration of the application proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered. Reference to the national planning guidance is also considered in the analysis section of this report.

- Section 2, Paragraphs 7 - 14: Achieving Sustainable Development;
- Section 4, Paragraphs 38 - 59: Decision Making;
- Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport;
- Section 12, Paragraphs 126 - 136: Achieving well-designed places;
- Section 14, Paragraphs 152 - 173: Meeting the Challenge of Climate Change, Flooding and Coastal Change;
- Section 15, Paragraphs 174 - 188: Conserving and Enhancing the Natural Environment;

Section 12, Paragraphs 126 - 136: Achieving well-designed places

Paragraph 126 advises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 indicates that, amongst other things, planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change

Paragraph 134 advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

The National Planning Practice Guidance (NPPG)

Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/>) supports and clarifies areas in the NPPF. It contains guidance on assessing housing need; design; public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things

The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95).

Supplementary Planning Guidance and other Documents

The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.

In addition, the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

The following documents are relevant to the consideration of this application:

- Adopted Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006);
- GBC Residential layout guidelines including Housing Standards Policy Statement October 2015, (SPG2) Adopted February 1996 - amended June 2020;

- Householder Extensions/Alterations Design Guide SPD, adopted 01 October 2021;

Consultations, Publicity and Representations

Consultations - Internal

Ward Councillors

No comments received

Consultations - External

None

Publicity and Representations

The owners/occupiers of 6 adjoining dwellings/premises were notified of the proposal. The expiry date for comments was 12th October 2021.

No representations were received

Planning Analysis and Assessment

The Issues

The planning considerations in the assessment of this application and proposals are:

- Principle of the Development
- Design, Character and Appearance
- Amenity of Future Occupiers
- Impact on the Amenity of Neighbouring Properties
- Highways and Parking Issues
- Any other Material Planning Considerations

Principle of the Development

Policy CS01 (Sustainable Development) indicates that when considering development proposals, the Borough Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in the Core Strategy.

The application site is situated in an urban area. Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy 2014 indicates that the strategy prioritises development in the urban area as a sustainable location for development. Domestic extensions, additions and alterations to dwellings are generally accepted as being appropriate in principle within the urban area.

There are therefore no policy objections to the principle of development on this site subject to the proposal complying with the relevant policies relating to design, the amenity of future occupiers, the impact on the privacy and amenity of neighbouring properties, highway or parking impacts, and any other material planning considerations.

Design, Character and Appearance

Paragraph 130 of the NPPF 2021 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 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 reflects these aims and requires that new development is well designed, and respects the character and appearance of the surrounding area.

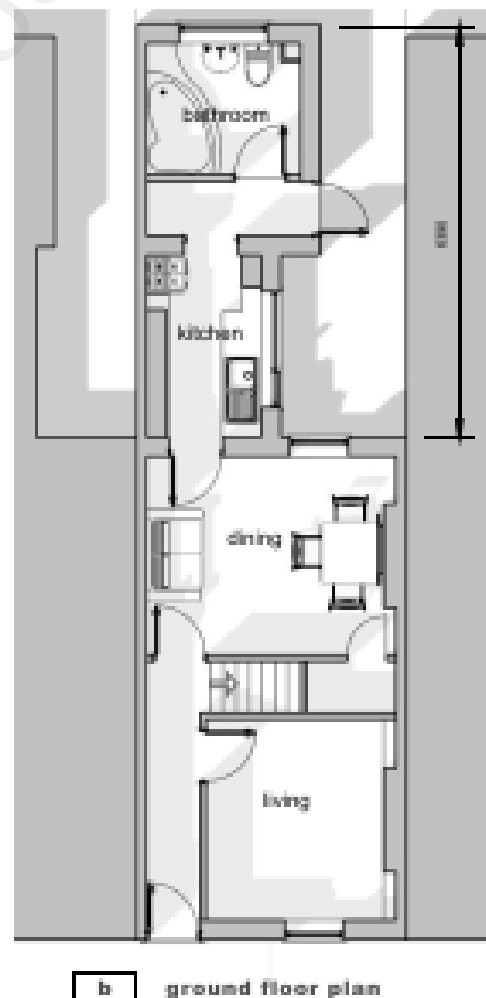
Emerging policy RES 4 of the Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020 indicates that: *all domestic extensions, additions and alterations should be well designed and located and respect the scale, form, proportions, character and appearance of the main dwelling and the character of the locality. Particular attention should be paid to:*

- *The roof form and roofline;*
- *Window detail;*
- *Architectural features;*
- *Boundary treatments; and*
- *Materials.*

Paragraph 9.4.13 states that *proposals for domestic extensions, outbuildings or other forms of development, which harm the character and appearance of the main dwelling or its locality or have an adverse impact on the amenity of occupiers of neighbouring properties or otherwise are not policy compliant will not be permitted.*

The recently adopted Householder Extensions/Alterations Design Guide SPD (October 2021) states that: *single storey rear extensions are not normally visible from the street so are usually less visually intrusive than other extensions. In respect of the depth of the extension, they should not dominate the original property. This can cause the site to appear overdeveloped, and cause long dark internal spaces to be formed. Extensions to extensions will generally not be supported.*

In this case, the rear extension will infill a small yard area between the existing rear extension and an adjoining neighbour rear extension at 17 Elliott Street not extending any further than the current applicants extension but, as existing, extending some 3ft beyond the neighbours extension. Overall, the extension will project 6.39m from the original rear elevation of the dwelling. It will include a roof lantern.



The applicant's agent advises:

In order to save space / maximise the available width of the extension, my client wishes to add insulation

and sound proofing to the face of the existing wall (taking about 100mm), rather than build a new cavity wall (taking about 250mm). My client is aware that additional works will be required if the neighbour ever decides to demolish their extension, and is ok with this. So timber studs will be added to the face of the existing brickwork, sound and thermal insulation added between, and soundproof plasterboard on the face. The new floor slab will step down with a toe alongside the neighbour's wall, though we are expecting to find that the neighbour's wall already encroaches on our client's property at foundation level. Joists run parallel to the neighbour's wall so will not be supported off it. Any support required to roof will be from the new ground slab, which is thickened at the edges to Structural Engineers specification. Flue and vent to existing bathroom and kitchen will run up through new flat roof, which is in same location as existing.

However, it is clear that the termination points of the flue/vents will be different and this ought to be covered by a planning condition. Equally there would be a need for a normal informative drawing the attention of the applicants to the Part Wall Act implications.

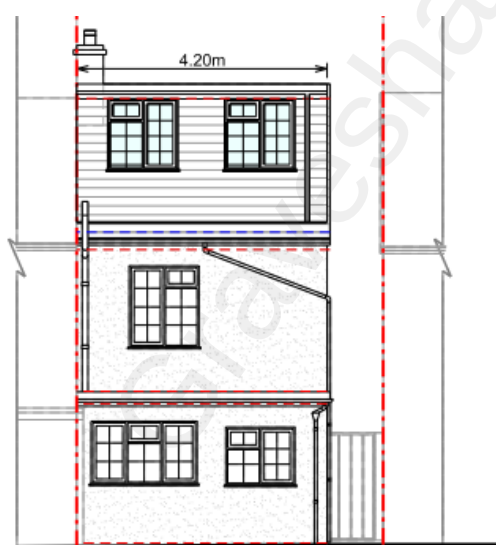
Although the single storey rear extension creates a rather large flat roofed element at the rear of the dwelling, on balance, it is only repeating what already exist at the site and to which there are no design objections.

The Householder Extensions/Alterations Design Guide SPD states in respect of rear roof extensions (dormers):

Whilst in many instances, rear roof extensions can be undertaken without permission under permitted development; these can and have had a harmful effect on roofscapes. When assessing planning applications, a high standard of design shall be required. Rear roof extensions and alterations should be set away from the gables, hips, eaves and ridge of a property and follow the guidance below:

- *Height: Should be lower than the existing ridgeline, and original ridgeline treatment should be retained.*
- *Massing: Should not wrap around two-sides of a hipped roof unless in special circumstances where it can be justified; this will be judged on a case-by-case basis. Dormers should not overwhelm the roof slope within which they are to be placed.*
- *Alignment of Windows: Should include window position and design, which reflects the position, design and character of windows to the lower levels of the host original building.*
- *Detail: Large blank facades on dormers can have an overbearing appearance and will not generally be acceptable*

There is a larger dormer at the rear of no 13 Elliott Street that was the subject of a lawful development certificate in 2019 (ref 20190653). See plan extract below



Rear Elevation



Whilst the proposed dormer at 16 Elliott Street is perhaps a little bulky, it is reasonably well designed and would not over dominate the roof slope or cause material harm the character of the existing dwelling or local area albeit that it would be seen from a wider area and not just from adjoining rear gardens due to the orientation of the dwelling towards public views in Raphael Road.

Potentially the rear dormer could fall within the scope of permitted development (Article 3 of and Part 1 Class B of Schedule 2 to the GPDO - as under 40 cubic metres), thus constituting effectively a fall-back position.

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines'.

The Supplementary Planning Guidance Note 2 Residential Layout Guidelines referred to above sets out the Council's standards in relation to private garden areas and internal space standards, amongst other things.

On 25 March 2015, the Government issued a written ministerial statement, which introduced new technical housing standards in England. This means that the Borough Council now interpret Tables 1 and 3 of the Residential Layout Guidelines July 1996 in accordance with the new standards.

The development provides acceptable internal living standards according with national space standards.

The proposal would not encroach any further into the existing residential rear garden than the existing rear extension and for which there is currently a rear garden depth of circa 10 m, which accords with the adopted Residential Layout Guidelines July 1996, although there is a small garden shed at the foot of the rear garden.

Impact on the Amenity of Neighbouring Properties

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 130 of the NPPF (2021) requires development to have a high standard of amenity for existing users (In this case surrounding properties).

However, in this case the depth and height of the extension are not considered to result in a material impact on the living conditions of the adjoining properties in terms of loss of light or overlooking. The dormer at the rear does create some additional overlooking of adjoining rear gardens at a higher level but this would not be any materially different than from existing rear first floor windows. There have been no neighbour objections.

Therefore, in terms of neighbour impacts it is not considered that the development would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

Parking and Highways Impacts

At a local level Gravesham Local Plan Core Strategy Policy CS11 (Transport) states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards, which will reflect the availability of alternative means of transport accessibility to services and facilities.

This approach to development is also supported by saved policies in the Gravesham Local Plan First Review Policy T1 (Impact of Development on the Highway Network), Policy T5 (New Accesses onto the Highway Network) and Policy P3 (Policy for Vehicle Parking Standards) and in supplementary guidance in the adopted KCC vehicle parking standards (SPG4). SPG4 states that for a property with four or more bedrooms there should be a maximum of 3 spaces per dwelling, 2 spaces for 3 bedroom dwellings.

The property currently has no off street parking with parking on street and it is likely that overnight parking on street is at a premium. There are no on street parking restrictions in the local area. The proposals

include provision of one additional bedroom with an existing double bedroom becoming a single bedroom.

As such in respect in parking and highway safety the proposal is not considered to conflict with Gravesham Local Plan Core Strategy Policy CS11 (Transport) or saved Policies T1 and P3 of the Gravesham Local Plan First Review

Any Other Material Planning Considerations

None

Conclusions and Balancing Exercise

The development is of an appropriate design in relation to both the rear addition and the roof dormer.

The development complies with the adopted residential layout guidelines. There are no neighbour objections or other adverse consultation responses.

It is therefore considered that the proposals can be supported and PERMISSION granted but subject to appropriate conditions.

In the analysis of the planning issues and the subsequent recommendation, consideration has been given to the Human Rights Act and it is concluded that any breaches or interference to individual human rights are reasonable and fair.

Recommendation:

PLANNING PERMISSION be **GRANTED** subject to planning conditions, reasons and informatives

CONDITIONS AND REASONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following approved plans and particulars:

Application Form;

Drawing No 450.1110 - P02: Location Plan and Site/Block Plan - Existing and Proposed;

Drawing No 450.1610 - P02: Floor Plans as Existing;

Drawing No 450.1620 - P02: Elevations as Existing;

Drawing No 450.1710 - P03: Floor Plans as Proposed;

Drawing No 450.1720 - P02: Elevations as Proposed;

Drawing No 450.1730 - P02: Sections as Proposed;

and pursuant to any condition hereinafter contained and there shall be no deviation therefrom.

Reason: For the avoidance of doubt and in order to ensure the development is implemented on the basis of the scheme as submitted and assessed in the interests of proper planning and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

3. Notwithstanding the details included on the application form and approved plans the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

4. For the avoidance of doubt, and notwithstanding the provisions of Article 3 of and Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any provision equivalent to that Part in any Order replacing, revoking or re-enacting that Order with or without modification), no further or enlarged windows, doors, roof lights or other openings, other than those shown in the approved plans, shall be formed at any time in the rear extension or dormer as hereby permitted, unless a specific grant of planning permission has been given by the Local Planning Authority. For the purposes of this condition, openings shall include the insertion of cover holes for flue extracts.

Reason: In the interest of safeguarding amenity and in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

5. The roof area of the single storey rear extension as hereby enlarged shall not be used as a balcony, roof garden or similar amenity area at any time.

Reason: In the interest of neighbouring privacy in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION TAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

In this instance, necessary revisions were identified and made to the proposal, at which point it was able to be given permission.

2 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

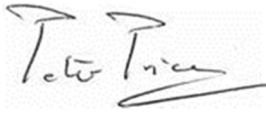
3 BUILDING REGULATIONS AND PARTY WALL ACT

This decision **DOES NOT** imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

4 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

Case Officer:	Mr Peter Price	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	4 th November 2021	Dated:	8th November 2021

File Location: F: Plan/Typing/General/Peter/Delegated Reports/Uniform - 20211131 - Delegated Report - 16 Elliott Street
Gravesend - Erection of a single storey rear extension and rear dormer