



# Delegated Report

## Planning Application

**Planning Application No:** 20221243

**Location:** Bay Village Tandoori 5 The Bay Vigo Gravesend

**Description:** Retention of single storey rear extension, including change of blockwork to weatherboard

**Applicant:** Hussain Ali, Vigo Tandoori

**Site Visit Date:** N/A/ Desktop Assessment

### Submitted Documents/Plans

Application Form

01-01 – Location Plan

01-02 – Previous, Current and Proposed Floor Plans

01-03 – Previous, Current and Proposed Roof Plans

01-04 – Previous, Current and Proposed Rear Elevations

01-05 – Previous, Current and Proposed Side Elevations

Design and Access Statement

Planning Assessment

### Relevant Planning History

| Reference | Description                                                                                                                                                                                                | Decision  | Decision Date |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------------|
| 20020745  | Application for the variation of condition (ii) of planning permission reference number GR/94/651 to allow the premises to operate as a hot food take-away on Sundays between 18.00 hours and 22.00 hours. | Permitted | 14.10.2002    |
| 20010524  | Application for the variation of condition (ii) of planning permission Ref. No. GR94/651 to allow the premises to operate as a hot food take-away on Sundays between 18.00 hours and 22.00 hours.          | Permitted | 16.08.2001    |
| 19940651  | Change of use from A1 (retail) to A3 (hot food takeaway).                                                                                                                                                  | Permitted | 31.01.1995    |

### Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS08 – Retail, Leisure and the Hierarchy of Centres

- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Development & Design Principles

#### Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- S7 – Hot Food Shops and Restaurants and other A3 Uses\*

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 4 - KCC Parking Standards (2006);
- Gravesham Landscape Character Assessment (2009)
- Kent Downs Area of Outstanding Natural Beauty AONB Management Plan 2021-2026

### **Consultations, Publicity and Representations**

The final date to submit comments ended on 19.12.22.

#### Consultees

Ward Councillors: No comments received.

Parish Council: No objections.

GB Environmental Protection: No objection of comments with regard to this application.

#### Neighbouring properties

2 surrounding properties were consulted and no responses were received.

### **Officer's Analysis**

#### Proposal

The proposed is for the erection of a single storey rear extension and alteration of blockwork to weatherboard. As evidenced by the photographs provided, this extension has been erected and this application therefore seeks retrospective planning permission.







### Summary Information

|                  | <b>As Built/Proposed Extension (m)</b> |
|------------------|----------------------------------------|
| Max height       | 2.8                                    |
| Max eaves height | 2.4                                    |
| Max Width        | 4.1                                    |
| Max Depth        | 3.2                                    |

### Principle of Development

This site is in the Local Centre of a Rural Settlement Inset from the Green Belt; Vigo. It is in an Area of Outstanding Natural Beauty. Policy CS02 of Gravesham Local Plan Core Strategy (2014), sets out where development should be distributed in the borough. Preference is given to those urbanised area as sustainable locations. Outside urbanised areas, those rural settlements which are inset from the Green Belt would also be considered acceptable in principle. As such, development in this area is acceptable in principle.

However, all other relevant matters should be considered. In this instance, the main points to consider would be the potential impact on; Visual Amenity (Design, Character and Appearance), the Area of Outstanding Natural Beauty and Residential Amenity of neighbours.

### Design, Character and Appearance (AONB)

Policy CS19 sets out the key principles for the design of proposals. This states that new development will be visually attractive, fit for purpose and locally distinctive.

This extension is located to the rear of the unit, covering an area previously used as a courtyard and

providing an additional WC. In this position it is not readily visible from the streetscene except at the vehicular entrance and so has limited impact on the streetscene and character of the area. Whilst other units have a rear extension, it would not extend beyond the nearby fenced courtyards and visually in terms of bulk and scale would not appear significantly different to the fenced courtyards. The existing structure uses brick and blockwork. But this proposal seeks to alter the exterior to have weatherboarding, which would create a better visual association to the neighbouring fencing and would provide a more discreet and subservient appearance in comparison to the existing building and would be more appropriate in the Area of Outstanding Natural Beauty.

Policy CS12 states:

*The greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs Area of Outstanding Natural Beauty and its setting.*

Given the minor scale of the addition, the design, its lack of visibility from the streetscene and its limited impact on the landscape in this existing mixed retail area in the local centre, it is considered that the proposed development would not significantly harm the AONB. In fact, given the closed and boarded appearance of these courtyards at the rear, the extension could be considered to offer improvements in terms improved fenestration and creating greater overlooking of this area which is not currently naturally surveyed very well.

On balance, the proposed development would comply with the requirements of Policy CS12 and CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF (2021) in terms of design, character and appearance and impact on the Area of Outstanding Natural Beauty.

#### Neighbouring Amenity

Policy CS19 (LPCS) requires new development to be located, designed and constructed to safeguard the amenity, including privacy, of its occupants and those of neighbouring properties and land and avoid adverse impacts from pollution, including noise, air, odour and light pollution.

Saved policy S7 (Hot Food Shops and Restaurants and other A3 units) of the Gravesham Local Plan First Review states that such uses should not have a detrimental effect on the amenity of any nearby residential accommodation. There are residential properties above the site and so these should be considered.

It is noted that the Council's environmental health officers have not objected to the application and no neighbour comments were received.

In terms of physical impact to the residential dwellinghouse above, the proposed addition would be single storey and would not be in a position or of a scale to overbear by means of overbearing bulk or overshadowing.

It is therefore considered that the development would not harm local amenity and is in accordance with Policy CS19 (Development and Design Principles) of the Local Plan Core Strategy (2014), saved policy S7 Local Plan First Review (1994) and Section 12 National Planning Policy Framework (2021).

#### **Conclusion**

The extension with weatherboarding as proposed, complies with all relevant national and local planning policies. The recommendation is to approve.

#### **Recommendation**

Permission

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

|                      |                                                                                   |                     |                                                                                     |
|----------------------|-----------------------------------------------------------------------------------|---------------------|-------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Ms Lisa Williams                                                                  | <b>Team Leader:</b> | Miss Faye Hobbs                                                                     |
| <b>Signed:</b>       |  | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 20th January 2023                                                                 | <b>Dated:</b>       | 20 January 2023                                                                     |

Gravesham Borough Council