

Delegated Report

Householder Planning Application

Planning Application No: 20230045

Location: 42 Franklin Road Gravesend Kent DA12 5SX

Description: Retention of garage and games-room/gym,

Applicant: Mr R. Ballanger

Site Visit Date: Desktop including Enforcement file photos

Submitted Documents/Plans

- Application form;
- Drawing no. 2023/01/42FR sheet 01 of 05;
- Drawing no. 2023/01/42FR sheet 02 of 05;
- Drawing no. 2023/01/42FR sheet 03 of 05;
- Drawing no. 2023/01/42FR sheet 04 of 05; and
- Drawing no. 2023/01/42FR sheet 05 of 05.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220442	Erection of part two storey, part single storey rear extension and single storey front extension.	Permitted	21.06.2022

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- 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)

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

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021).

Consultations, Publicity and Representations

Consultees

None consulted.

Neighbouring properties

4 surrounding properties were consulted with an overall consultation expiry date of 14 February 2023 – no responses received.

Officer's Analysis

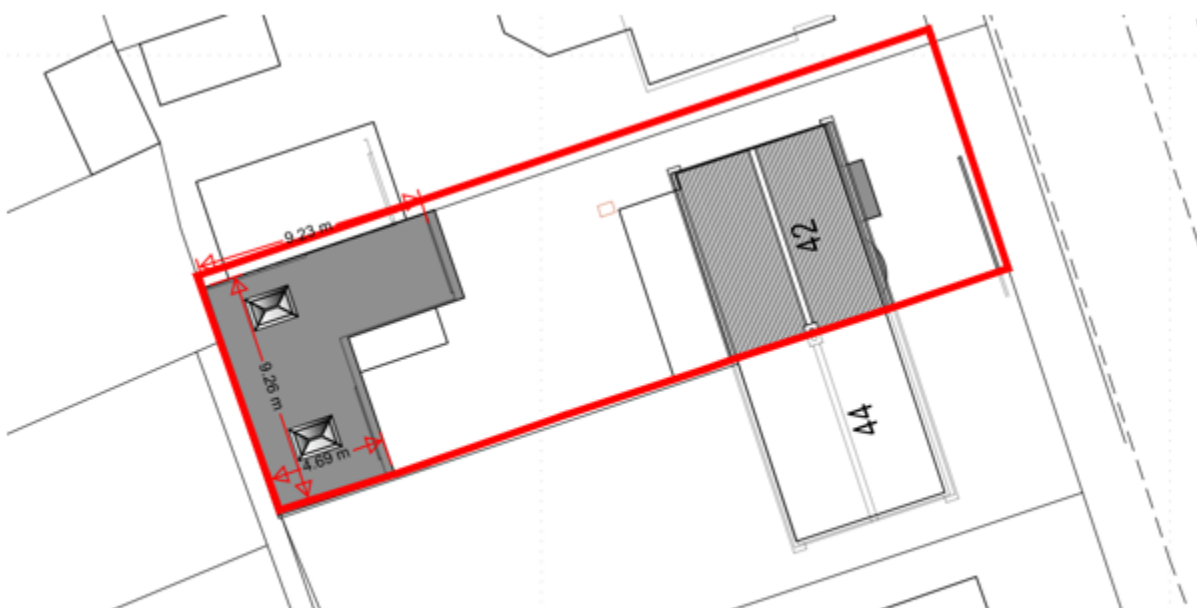
The application site consists of a two storey semi-detached dwelling.

The property previously had a detached garage outbuilding; this has been demolished at some time circa. 2022. The previous outbuilding had a footprint of 7.6m in depth, 5.85m in width and a height of circa. 3.3m in height to the top of the pitched roof.

This has been replaced with a new outbuilding housing a garage, gym, games room and toilet. It is an L shaped building and has footprint measuring between 4.69m - 9.23m in depth, 9.26m in width and 3m in height to the top of the flat roof. The previous and new garages are seen in the below block plans:



Block plan showing previous garage [building](#)



Block plan showing new garage [building](#)

The below images show the front elevation of the previous and the new garage outbuildings:



Front view of previous garage outbuilding



Front view of the new garage building

Design, Character and Appearance

As can be seen from the block plans above, the new outbuilding which has been constructed is larger than the previous one it has replaced however, it requires further investigation in terms of how it compares with the built form it has replaced and the surrounding development. At its longest depth, part of the new outbuilding is 9.23m instead of the previous depth of 7.46m (which is an increase of 1.7m in depth) which is large. However part of the depth is reduced to 4.69m deep. Its width is 9.26m instead of the previous width of 5.85m (an increase in width of 3.41m) as the outbuilding now extends across the whole width of the plot. The height is slightly less – 3m instead of circa 3.3m as it now has a flat roof instead of a pitched roof.

The fact the garage now extends the full width of the plot is considered acceptable as this is a common feature of many outbuildings in the Borough. Due to the L shape design the building has two depths and for its most part the outbuilding has a modest depth of 4.69m. This increases to 9.23m at its deepest point but as stated, at this point the outbuilding is only 1.7m greater in depth than the length of the previous garage outbuilding and only extends 1.2m beyond the front wall of the adjacent garage at the neighbour to the north, no. 40 Franklin Road. The new outbuilding has a flat roof which is a reduction in height compared to the previous garage outbuilding. The host dwelling still has sufficient garden space surrounding it.

Overall therefore on balance the new outbuilding is considered acceptable in respect of scale as for its most part it would be a modest depth and the deepest part would not actually appear that overly dominant in the context of both the previous built form on the site and the current adjacent garage.

Furthermore, it is prudent to note that if the applicant reduced the height of the outbuilding to 2.5m in height the outbuilding would not require planning permission.

In respect of design, character and appearance it is considered the proposed development would be compliant with Policy CS19 (LPCS).

Amenity of Occupiers

Previous Rear Garden Area (excluding garage outbuilding) – 126 sq. m
Previous Rear Garden Depth – 16.5m

Current Garden Area (excluding outbuilding) – 105.28 sq. m
Current Rear Garden Depth – 11.8 sq. m

The property would therefore still retain a garden area and rear garden depth which would significantly exceed the minimum standards as set out in SPG2 (2020) for a three bedroom dwelling.

It is prudent to note that there is permission for removal of the existing conservatory and erection of a part two storey, part single storey extension (ref. 20220442) which is still a live permission. If this extension is constructed it would increase the dwelling to a four bedroom dwelling. The garden area would be reduced to 86 sq. m which would be under the 100 sq. area required in SPG2 (2020) for a four bedroom dwelling. However, the extension is not there and may potentially never be built. Therefore, it is considered a refusal on potential undersized garden area could not be sustained. Furthermore, the previous and current property garden areas have been worked out on the basis of just pure garden area and have excluded the outbuildings so when the current outbuilding is taken into account (excluding the garage element of it as parking is not counted as garden space) the garden area would exceed the 100 sq. m. Furthermore, the property does have a front garden of 41 sq. m therefore when the front garden is included (albeit that is not *private* amenity space) then the 100 sq. m would be vastly exceeded. In terms of the depth the rear garden if the extension is built it would be 9.4m in depth which would be 600mm under the minimum 10m required but given this would be a fairly minimal amount and the garden area be acceptable, it is considered the resultant slightly undersized depth would be acceptable on this occasion should the extension be constructed.

In respect of occupier amenity the proposal is therefore considered compliant with Policy CS19 (LPCS).

Neighbouring Amenity

The northern elevation of the outbuilding has been built alongside the existing neighbour's garage at no. 40, as was the previous garage outbuilding. This new outbuilding would extend 1.7m beyond the front wall of that garage at no. 40 (whereas the previous one was in line) but this is a minimal amount and due to the distance of the outbuilding to the nearest windows on the rear of no. 40, it would have no harmful impact on that property with regards overshadowing or loss of outlook. As the part of the outbuilding nearest to no. 40 is a garage there would be no issues regarding overlooking.

The southern elevation of the outbuilding is 4.69m in depth; due to the distance of the outbuilding from the neighbouring dwellings to the south, no. 44, it would have no harmful impact on that property with regards overshadowing or loss of outlook. The nearest opening in the front of the outbuilding are sliding doors serving the games room element. However, these look towards the rear of the host dwelling and the nearest window opening in the rear of no. 44 would not be in the field of view from the games room doors, the games room is not a habitable room and existing boundary treatment would prevent any view.

The properties to the rear which border the site, nos. 11 & 13 Stanley Crescent, are at a higher level than the dwellings in Franklin and due to the distance to the rear of those properties and the height of the outbuilding there would be no issues concerning overshadowing or loss of outlook to the windows in the rear of those properties; there are no windows in the rear elevation therefore, no issues regarding overlooking.

In respect of neighbouring the proposal is therefore considered compliant with Policy CS19 (LPCS).

In order to protect the amenity of neighbours going forward it is recommended that if permission is forthcoming a condition would be required for no windows in the south flank elevation of the building which is the games room element.

Parking and Highway Safety

The outbuilding has a garage component which essentially has replaced the previous garage which stood in the rear garden. There is also space for further parking on the hardstanding areas to the rear. The proposal would meet the maximum parking standards set out in SPG4 (2006) for a three bedroom house and even for four bedroom if the approved extension is constructed. In respect of parking and highway safety the proposal is considered compliant with Policy CS11 (LPCS) and saved Policy P3 (LPFR).

Any Other Material Planning Considerations

Use – In order to ensure the property is not used as a separate dwelling in the future it is considered that a condition should be attached to secure against this.

Conclusion & Recommendation

On balance the proposal is considered acceptable with regards design, character and appearance, amenity of occupier and neighbouring amenity and parking and highway safety.

Recommendation: Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
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Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	21st March 2023	Dated:	21 March 2023