



Delegated Report

Householder Planning Application

Planning Application No: 20211171

Location: 23B Lyndhurst Way Istead Rise Gravesend Kent

Description: Erection of a two storey side extension, single storey rear infill extension, conversion of integral garage to habitable room, changes to existing windows, and replacement of garage door with window.

Applicant: Mr And Mrs D Lye

Site Visit Date: 1st October 2021

Submitted Documents/Plans

- Application Form Received 23/09/2021;
- Drawing No: 05 (Existing/Proposed Front Elevations & Existing/Proposed Block Plans) Received 25/10/2021;
- Design and Access Statement Received 23/09/2021;
- Drawing No: 01 (Existing Plans/Elevations & Site location Map) Received 23/09/2021;
- Site Location Map Received 23/09/2021;
- Drawing 03 (Proposed Section AA) Received 23/09/2021;
- Drawing 02 (Proposed Plans & Elevations) Received 23/09/2021.

Relevant Planning History

Reference	Description	Decision	Decision Date
19621004	nineteen bungalows, thirty houses and forty nine garages	Permitted	31/03/1964

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

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

- P3 – Vehicle Parking Standards

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 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) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

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)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

KCC Heritage

No further comments to make

GBC Conservation Officer

The conservation officer's comments state:

"It's not ideal, the rear garden is accessed by steps and then the garden is terraced, so in truth can't see much use will be made of the proposed shed. But it is there and has the potential of being used so difficult to argue against. Can the cycle store be conditioned to ensure it is used for intended use and not for any other items, so at least it can be kept available."

Parking layout is existing so nothing that can be done about that"

Highway Development Management Officer

I note that the original permission for this property was part of a development of 30 houses, 19 bungalows and forty nine garages, which would suggest it was intended that each property would have a single allocated garage.

I also note the neighbours at 23A have already carried out a similar conversion, application 20101062, but this was for a Lawful Development Certificate for works already carried out.

This proposal would increase the number of bedrooms from 2 to 3 whilst a parking space is lost. It is accepted that the garage does not meet current standards but it was provided as a garage and is still capable of accommodating smaller vehicles.

Kent County Council 's Interim Guidance Note 3 of the Kent Design Guide, Residential Parking suggests in a rural area two parking spaces should be provided, whilst SPG4 requires a cycle parking space to be provided for a bedroom.

So with the loss of a parking space and no provision for a cycle parking space, I can only recommend refusal.

Neighbouring properties

The application was advertised by way of site notice and letters to seven surrounding properties. The consultation period expired on 29th October 2021 and no comments were received.

Analysis

Proposal

The proposal comprises several elements. The first is for the erection of a two storey side extension to allow for the creation of additional living space and large bedroom spaces including an ensuite. The extension will project 2m from the north western elevation up to the property boundary. The extension will include a window in the north western elevation which will serve the new ensuite and sliding doors in the rear elevation at lower ground floor level and a new window opening at ground floor level in the rear elevation will serve the newly formed bedroom.

The proposal also seeks to convert the existing garage into a bedroom space at first floor level and at lower ground floor level the proposal seeks to create an infill to the rear so there is a new w/c and gaming area. The infill will be modest in size and will project approx 1m from the existing rear elevation, the garage door will be replaced with fenestration to match the existing.

Character and Appearance

The application property is a semi detached property split over two levels, the property is built on an incline which slopes down to the south west . The ground floor level of the property is built in line with the street level with the lower ground floor level being accessed via a side entrance which can be reached via a public access way or an internal staircase. The property is situated in a rural settlement inset from the greenbelt.

The proposal seeks to build a two storey extension to the side of the property up to the property boundary. At present the property includes a window at ground floor level which serves a bathroom. This window will be reduced in size and will serve a new ensuite walk in shower room. To the lower ground floor level there is a window and door in the flank elevation which allows access to the kitchen and the window also serves the kitchen. Post development there will not be any opening in the flank elevation, however the window in the front elevation will be increased in size and a new sliding door installed in the rear elevation.

The two storey side extension will be constructed using materials to match the existing house and plans also show the existing chimney stack will also be removed as part of the works. Removal of a chimney stack does not always require planning permission. The side extension will be built in line with the front elevation and the ridge will not be set below the existing ridge. It should be noted that the flank elevation will form an end wall and whilst it is not a site boundary with a public highway it is a site boundary with a public footpath which could give rise to anti-social behaviour. An extension of this nature should be subservient to the host dwelling, however in this instance it is a continuation of the existing building line which results in a terracing affect and unattractive end wall which is visible from a public vantage point, it is considered that this is a form of oppressive development which is contrary to CS19 of the Local Plan Core Strategy 2014 and SPD4 - Householder Extensions/Alterations Design Guide (2021).

The conversion of the existing garage could be carried out without the benefit of planning permission. The proposed fenestration and use of materials is in keeping with the host dwelling and so this aspect of the proposal is deemed acceptable.

The single storey rear infill at lower ground floor level is not visible from a public vantage point and given its modest scale, this would be acceptable as it does not harm the main dwelling.

The proposal also shows the erection of a cycle storage shed which could be built without the benefit of planning permission.

Amenity of Future Occupiers

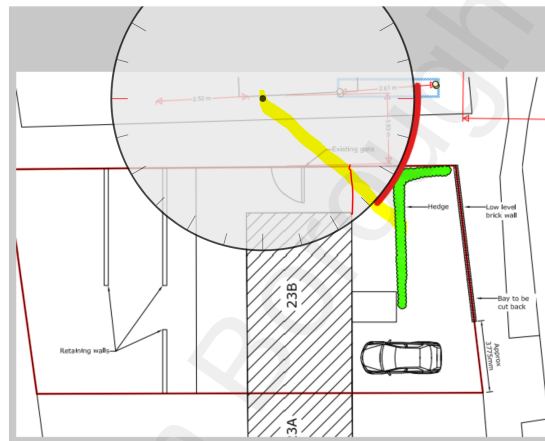
The proposed bathroom will measure some 3.1sqm which is marginally below the preferred 3.6sqm stated in SPG2 - Residential Layout Guidelines (2020). The rest of the rooms are compliant with the Council's Technical standards and the garden is still of an adequate size for a property of this size.

On balance it is considered that the proposal is acceptable and adequately safeguards the amenity of future occupiers.

Neighbouring Amenity

The proposal is not liable to impact the amenity of the adjoining occupier at 23a Lyndhurst Way as the main bulk of the proposal is situated to the Northwest of the property which is not visible from No.23a.

The neighbouring property situated at No.25 Lyndhurst Way has a window at ground floor level which most likely serves a kitchen. Whilst no objections have been received to the proposal the flank elevation will be approx 3.8m away from this window which would result in a very overbearing and oppressive outlook and fails the 45 degree test.



The privacy of this property would be maintained as there are no windows proposed at lower ground floor level and should permission be forthcoming the ground floor level window serving the ensuite would be obscure glazed in perpetuity.

The proposal fails to safeguard the amenity of an adjoining occupier and fails to comply with CS19 of the LPCS 2014.

Parking and Highways

The highways officer's comments stated:

"I note that the original permission for this property was part of a development of 30 houses, 19 bungalows and forty nine garages, which would suggest it was intended that each property would have a single allocated garage.

I also note the neighbours at 23A have already carried out a similar conversion, application 20101062, but this was for a Lawful Development Certificate for works already carried out.

This proposal would increase the number of bedrooms from 2 to 3 whilst a parking space is lost. It is accepted that the garage does not meet current standards but it was provided as a garage and is still capable of accommodating smaller vehicles.

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a rural area two parking spaces should be provided, whilst SPG4 requires a cycle parking space to be provided for a bedroom.

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Whilst the proposal will result in the loss of a garage space and addition of a bedroom it should be noted that there is a parking plan submitted which shows that two cars can be parked on the driveway. The existing garage is not capable of accommodating a modern day vehicle and whilst it is noted that this could accommodate a smaller vehicle the parking plan satisfies that two spaces can be provided.

Furthermore a garage conversion may be carried out under permitted development.

Notwithstanding the comments of the highways officer the proposal is deemed acceptable in terms of parking provision.

Any Other Material Planning Considerations

Rural Settlements Inset from Greenbelt - The application site is inset from Green Belt and as such, Policy CS02 of the Gravesham Local Plan Core Strategy September 2014 is relevant. Policy CS02 prioritises development in the urban area as a sustainable location for development. In the rural area it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is not the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Local Plan Core Strategy.

Impact on the landscape - In addition to being inset from the Green Belt, the application site is located within Istead Arable Farmlands Character Area, as set out in the Council's Landscape Character Assessment document.

Policy CS12 of the Gravesham's Local Plan Core Strategy LPCS (2014) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 that the overall landscape character and valued landscapes will be conserved, restored and enhanced.

It is considered that this development would not be detrimental to the Istead Arable Farmlands Character Area, as the property is located in a small settlement and development would not impact on the wider rural landscape.

Conclusion & Recommendation

The proposed extension by virtue of design will result in development which is overbearing, not subservient the original property and could give rise to anti-social behaviour which is contrary to the development and design principles of CS19 of the Local Plan Core Strategy 2014 and SPD4 - Householder Extensions/Alterations Design Guide (2021).

The proposed development, by reason of its inability to provide suitable provision of private amenity space for an adjoining occupier would provide a poor standard of living for neighbouring occupiers. This would be detrimental to neighbouring amenity and be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 and to the Borough Council's adopted Residential Layout Guidelines.

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

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
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Signed:		Signed:	<i>R Hart</i>
Dated:	14th November 2021	Dated:	14th November 2021

Gravesham Borough Council