



Delegated Report

Full Planning Application

Application No: 20211179

Location: 36 Albion Road, Gravesend, Kent, DA12 2SR

Description: Demolition of existing conservatory and outbuildings and erection of a two storey side extension in connection with the formation of two bedroom self-contained flats on the upper ground and first floors and internal alterations to the lower ground floor flat.

Applicant: Mr Manpreet Dhaliwal

Site Visit:

Site Description

36 Albion Road is a two storey property with a basement level. The property forms one of a pair of Victorian Villas which are mirrored by 'nos.1 and 2 Albion Road' across the highway. The building is long and narrow in shape; is characterised by a large bay on the front, original sash windows and ornamental porches.

The building is currently in use as two dwellings, a basement flat and a two storey house above – both have separate accesses. It has a small side garden, a conservatory on the southern elevation and a shed in the garden.



Procedural Matters

The application form was originally submitted with a Certificate A notification, however the extension to the property encroaches over the boundary with the adjoining neighbour. The agent was contacted and a Certificate B notification was served on the neighbour (23/11/2021). A revised application form was

received by the Local Planning Authority and the consultation period was then extended by a period of 21 days.

Submitted Documents/Plans

Application Form (revised) - dated 23/11/2021;
Certificate B Notification - dated 23/11/2021;
Planning Statement - September 2021;
Drawing no. 01 - Floor Plans and Elevations as Existing;
Drawing no. 02 - Floor Plans and Elevations as Proposed;
Drawing no. 03 - Site Location Plan (scale - 1:1250);
Drawing no. 04 - Block Plans as Existing and as Proposed (scale - 1:200).

Relevant Planning History

No relevant planning history - although the property has previously been extended by three storeys at the rear.

Note - Pre-Application advice was sought in 2021 regarding the erection of *'a two storey side extension to create three additional units and associated internal alterations, in addition to external refurbishments and creation of a two car driveway onto Albion Terrace'*.

The development was not considered to be appropriate and it was concluded that the development would unlikely be granted planning permission, by virtue of design, amenity of future occupiers and highway issues. However, the Local Planning Authority did not object to the creation of additional units on the site.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS11 - Transport
- CS12 - Green Infrastructure
- CS14 - Housing Types and Sizes
- CS15 - Housing Density
- CS18 - Climate Change
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 - Vehicle Parking Standards
- T5 - Access to the Identified Highway Network

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 5 - Delivering a sufficient supply of homes
- Section 9 - Promoting Sustainable Transport
- Section 11 - Making effective use of land
- Section 12 - Achieving sustainable development and well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020;
- SPG 4 - KCC Parking Standards (2006);
- Technical Housing Standards: Nationally Described Space Standards (2016);
- Householder Extensions/Alterations Design Guide SPD (2021).

Consultations, Publicity and Representations

Consultees

KCC - Heritage Consultations

The site lies within an area of multi-period archaeological potential. I consider it unlikely, however, that these proposals will have a significant archaeological impact and have no further comments to make in this case.

GBC - Waste & Recycling Manager

I have reviewed the above planning application and I am happy with the refuse and recycling information provided.

GBC - Highways Officer

This property is edge of centre and as such maximum car parking guidance applies. Therefore, no additional car parking is required. With regards to cycle parking, as the existing layout has a higher requirement than the proposed arrangement, none can be asked for, although ideally a minimum of three cycle spaces should be provided in a secure and weather proof shelter, one of which should be for an adaptive cycle to allow for a delivery cycle or a tricycle.

I have no objections.

Internal Drainage District

No comment received.

Neighbouring properties

Seventeen surrounding properties were consulted and one representation was received. The neighbour registered concerns with the parking provisions within the surrounding area and the impact that a new residential dwelling might have on the limited on-street parking available. The representation questions the feasibility of creating a driveway onto Albion Terrace, where the application property already has a dropped kerb installed, but behind a wall.

The consultation period expired 19th October 2021.

In addition, Certificate B was served on the immediate neighbour (no.17 Albion Terrace) due to the encroachment over the boundary. This notice was served on 23/11/2021 and no representation has been received.

Officer's Analysis

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 3.27 year supply has most recently been calculated within the statement published here), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2021). This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 182)
- Sites of Special Scientific Interest;
- Green Belt,
- Local Green Space,
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats;
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68); and
- Areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 125(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

The proposed development for a net increase of '1' residential units would offer a minimal but important contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2021) which requires new development to contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Policy CS02 (Scale and Distribution of Development) (LPCS) prioritises development in the urban area as a sustainable location for development by bringing forward a range of suitable sites on other parts of the urban area for residential. The application site lies within the urban area of Gravesend and is not subject to any specific local planning policies or constraints that restrict the principle of development, other than general policies that seek to protect the character of the area and the amenity of existing and future residents.

It is considered that local adopted Policies CS14 (Housing Type and Design), CS15 (Housing Density) and CS19 (Development and Design Principles) (LPCS) together provide an assessment framework in line with the guidance provided by paragraph 71 of the NPPF (2021). The proposal shall be assessed against these policies in the following section reviewing the character and appearance of the scheme.

Description of the Proposal

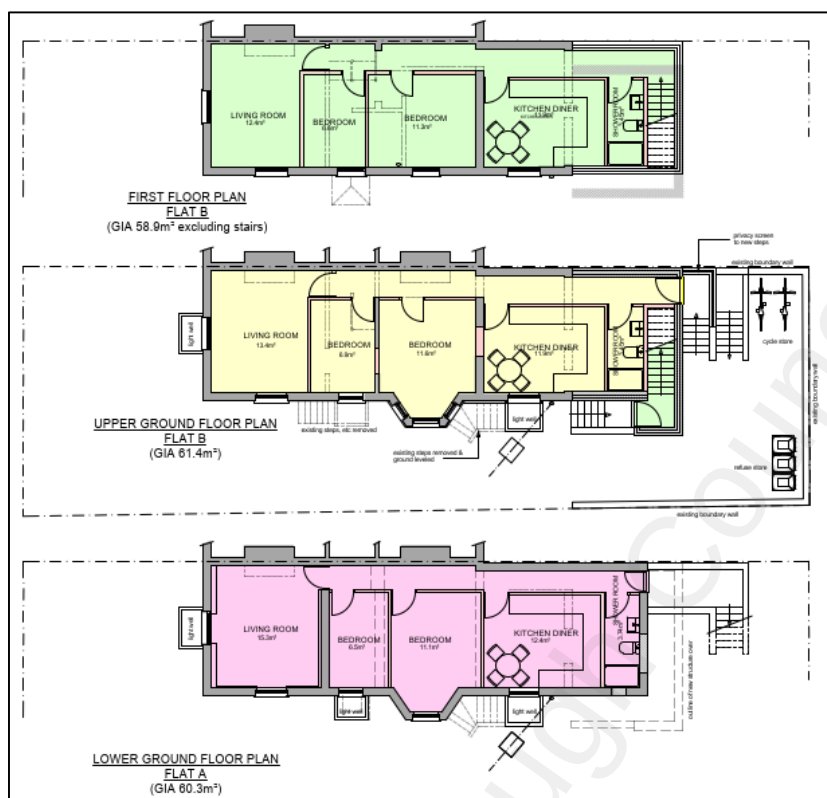
This application proposes the demolition of the existing conservatory and other outbuildings, and the erection of a two storey rear extension. The extension will create space for an additional residential unit and the subdivision of the property into no.3 two bedroom flats. The proposed extension will match the height and width of the existing outrigger, with the following dimensions:

- Depth - 3.7m
- Width - 4.52m
- Height (max) - 8.45m
- Height (eaves) - 6.68m

The proposal will change the appearance of no.36 Albion Road by extending the outrigger and elongating the property. The screenshots below demonstrate the proposed extension and allow for a visual comparison with the existing property:



The development and internal reconfiguration will create no.3 two bedroom flats. Each flat will have a kitchen/diner, living room, shower room and two bedrooms.



On 'Drawing no. 03' the titles of the floor plans seem to be erroneous, showing both the upper ground floor unit and first floor units as 'Flat B'. For the purpose of this report the first floor flat will be described as 'Flat C'.

The schedule of accommodation is as follows:

Flat no.	Bedroom(s)	Floor space
A (lower ground)	2 (3 person)	60.3m ²
B (upper ground)	2 (3 person)	61.4m ²
'C' (first floor)	2 (3 person)	58.9m ²

Table 1 - Schedule of Accommodation

The flats are accessed through internal staircases, with the lower ground unit accessed by steps at the front, and the two upper flats by the stairwell within the new extension. The proposed refuse area is within the front garden and there is a cycle store proposed. No vehicular parking will be provided.

The principle considerations in the assessment of this application are:

- Design, Character and Appearance
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways
- Any Other Material Planning Considerations

Design, Character and Appearance

The extension to the property has been designed to match the existing rear projection. The extension will match the pitched roof design and will be the same height as the rear projection. This continuity in design and materials is referenced within the Planning Statement and is acknowledged by the Local Planning

Authority.

However, Gravesham's newly published Householder Extensions/Alterations Design SPD (2021) sets out the Council's position on extensions, specifically stating that extensions to extensions are not generally supported and highlights that rear extensions should:

- Not dominate the original property;
- Not be built up to site boundaries;
- Not be of greater width than the original building;
- Incorporate designs to reflect the main properties character: roof, fenestration, materials, etc.

In this case the extension, although large is not considered to dominate the original property. The extension matches the height of the existing projection, which is subservient to the main ridge of the property. However, this development is an extension to an extension, which is not generally permitted. It is not clear when the original extension was constructed, but is an addition that is the same width as the property and incorporates design to reflect the character, which is mirrored by the proposed extension. As such, some aspects of the proposal conflict with Gravesham's design guidance.

Nevertheless, with this application it is important to consider and balance the conflicts with the design guidance against the benefits of creating an additional residential unit. Policies CS14 and CS15 (LPCS) relate to appropriate housing sizes and types, as well as the density of housing within the Borough. The three units within the extended property are three person, two bedroom flat that are considered an appropriate and desirable size within Policy CS14 (LPCS). Furthermore, the property is located on the edge of the town centre with strong transportation links, and is being extended at an appropriate density for its urban location as recommended within Policy CS15 (LPCS). In addition, the creation of a new residential unit of accommodation within the Borough is acknowledged.

Therefore, the extension to an extension and lack of subservience contrary to the design guidance SPD (2021) is measured against the delivery of an additional unit, provision of no.3 two bed flats within the urban area, on the edge of the town centre. Notwithstanding the contradictions to the design guidance, the extension is not considered to be out of scale with the original property, visually unattractive or detrimental to the street scene. The extension will be constructed using materials that match the main dwelling and adopts the same roof design. Overall, the development is considered to be acceptable in terms of design and Policy CS19 (LPCS) and Section 12 (NPPF), but also in accordance with the requirements set out in Policies CS14 and CS15 (LPCS).

Amenity of Future Occupiers

Policy CS19 (LPCS) 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' (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy. These standards came into effect on 1 October 2015.

Within this scheme the flats are marginally undersized compared to the national housing standard guidance for two bedroom, three person units on one floor. The guidance states that the minimum gross floor area should be 61m². As shown in Table 1 (above) only upper ground flat B exceeds the 61m² recommendation, however both other flats are only marginally below.

Gravesham's RLG (2020) breaks down the Council's individual requirements for certain rooms, these have been formulated into a table to compare with the floor area of rooms within the three proposed flats.

	Gravesham RLG (2020)	Flat A (lower ground)	Flat B (upper ground)	Flat 'C' (first floor)
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Kitchen/Diner	12m ²	12.4m ²	11.9m ²	11.9m ²
Living Room	13.2m ²	15.3m ²	13.4m ²	12.4m ²
Bedroom (double)	11.2m ²	11.1m ²	11.6m ²	11.3m ²
Bedroom (single)	6.5m ²	6.5m ²	6.9m ²	6.6m ²
Bathroom & w.c.	3.5m ²	3.74m ²	3.45m ²	3.45m ²

Table 2 - Flat Floor Area Breakdown

Table 2 has been colour coded to show which rooms within each flat meet the guidance within the RLG. A number of rooms do not meet the recommendations; however, these are generally marginally below the floor areas within the RLG, by approximately 0.1m². The living room in Flat 'C' is the exception to this and is approximately 0.8m² below the RLGs recommendation. Nevertheless, these deficiencies compared to the guidance are not significant and would not be harmful to the amenity of future occupiers, nor sufficient grounds to refuse the application.

Please note, the floor area recommendations for a bathroom and w.c. would require additional space compared to a shower and w.c. Therefore, these deficiencies are not considered detrimental to the amenity of future occupiers.

Each flat has windows, or light wells for the lower ground unit, serving the kitchen/diner, bedrooms and living room. These will ensure that all habitable rooms received sufficient natural lighting and ventilation. There are no windows serving the shower rooms/w.c., however this is not a requirement within Gravesham's RLG.

In terms of amenity space, the units will have approximately 140m² of space around the property. The plans do not detail any soft or hard landscaping strategies, however a condition will be attached to ensure that details are provided and approved in writing by the Local Planning Authority. This will guarantee that the amenity space provided is of good quality and that the development does not impact on the quality of the street scene.

Overall the development proposed is considered to provide acceptable living conditions for future occupiers. The units and rooms are marginally below guidance, however these deficiencies are not considered sufficient to harm the amenity or enjoyment of future occupiers. Each room will receive good levels of natural lighting and there will be good quality amenity space provided, subject to conditions. As such, the development safeguards amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Neighbouring Amenity

The extension to this property is not considered to impact on the amenity in terms of loss of light, overlooking, sense of enclosure or outlook. There are no windows proposed in the new extension that would impact on the privacy of the adjoining property (no. 17 Albion Terrace).

In terms of overshadowing, the extension will not impact any windows serving habitable rooms on the adjoining property. As shown in the 3D satellite images no. 17 Albion Terrace has no rear windows that would be affected by the extension. Given that the site is located west of the neighbour, there were concerns with the potential impact of loss of light, however no windows will be impacted. Moreover, the southern facing gardens should receive sufficient sunlight throughout the day.

Similarly, the lack of windows within close proximity to the extension means that the development will not have an impact on outlook.



The immediate neighbour was served notice of encroachment of the extension over the boundary, through Certificate B notification on 23/11/2021. No representations or objections have been received regarding this matter. The existing rear projection encroaches marginally over the shared boundary and the proposed extension continues on this building line. It is not considered to be detrimental to the neighbour, nor the extension or encroachment considered to result in a sense of enclosure.

In addition, a total seventeen surrounding properties were notified of the development and one representation was received. The representation related to the parking provisions within the area, this will be discussed in the 'parking and highways' section below.

Therefore, the application is not considered to be an unneighbourly form of development and will safeguard the amenity of surrounding properties in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Parking and Highways

There are no parking or highway issues related to this proposal. The property is located at the edge of the centre with access to good transportation links. Within this area maximum car parking guidance applies and the Highway Officer has confirmed that no additional car parking is required.

The plans demonstrate that a cycle store will be created within the site, with space for one bicycle per unit. This will be condition to ensure that a secure and weather-proof cycle shelter is provided.

A neighbouring resident provided comment on the application, expressing concern with the proliferation of on-street parking as a result of the development. While this is a valid concern, the parking guidance states that no off street parking is required with a development in this location and therefore this is not sufficient grounds to refuse an application. Moreover, the neighbour suggested creating a driveway at the front of the property, where a dropped kerb is already installed. Due to the proximity to a junction and limited visibility splays this would be a dangerous access and increase the chance of collision.

Overall, there are no highway issues related to this development, there are no parking requirements in the edge of centre location and the Highway Officer has registered no objection. As such, the proposal is considered acceptable and is in accordance with highway policy and guidance.

Any Other Material Planning Considerations

Refuse - Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste.

The submitted plans shows that to the front of the property a bin refuse area is proposed which shows space for three wheelie bins. The Planning Statement confirms that a refuse area will be provided in the garden area. Future occupiers will be required to place their refuse containers on Albion Way on collection day, and return them to the property following collection.

In summary with regard to refuse arrangement the strategy matches that used by other properties on Albion Road and the development complies with Policy CS19 (LPCS).

Ecology and Biodiversity (Bird Mitigation) - The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering water birds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites, which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £ 253.83 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

In this instance, the proposed development would result in the creation of an additional residential property and as such, additional recreational activity would result. Therefore, it is considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS). In such cases the Borough Council has adopted a tariff that is payable for each new dwelling unit within 6km of the SPA/Ramsar site of £ 253.83 per new dwelling unit.

The applicant has completed the SAMMS Mitigation Contribution Agreement. Therefore, the proposal complies with the requirements of the Habitat Regulations, as well as Section 15 (specifically paragraphs 180 and 181) (NPPF) and Policy CS12 (LPCS).

Conclusion and Balancing Exercise

The application has been fully considered and is in accordance with local and national planning policy.

The proposed extension will create space for an additional two bedroom flat within the property. It will accommodate a new stairwell and shower room/wc for the two units above ground floor. The development proposes an extension to an extension and is constructed up to the shared boundary which are contrary to recommendations within Gravesham's Design Guidance (SPD) (2021). Nevertheless, the extension is not considered out of scale, unattractive or harmful to the street scene and is not contrary to Policy CS19 (LPCS) or Section 12 (NPPF), and the location of the site, the density and housing types provided are in accordance with Policies CS14 and CS15 (LPCS). As such the development is considered acceptable.

The units provided are considered to satisfactorily safeguard the amenity of future occupiers by providing decent sized rooms, good levels of natural lighting and sufficient amenity space. Moreover, the extension will safeguard the amenity of neighbouring properties, nor will it impact on the highway. The refuse

arrangements proposed are acceptable and in line with other properties in the area.

Lastly, any potential impact on biodiversity and protected landscapes have been mitigated through the payment of the SAMMS mitigation contribution agreement and the application accords with Policy CS12 (LPCS) and Section 15 (NPPF).

As such, it is recommended that planning permission is granted subject to conditions.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	15 th December 2021	Dated:	15 December 2021