



Delegated Report

Householder Planning Application

Application no: 20220534

Location: 16 Farmcroft Gravesend Kent DA11 7LT

Description: Amendment to approved application 20211097 for demolition of existing conservatory and erection of a two-storey rear extension, to allow a minor increase in the extension.

Applicant: Mr Singh

Site Visit Date: 07 June 2022

Site and Surroundings

The application property is a large gable fronted detached two storey and four-bedroom dwelling that has been previously extended by both two storey and single storey additions to the rear, side and front. It is located at the junction of Farmcroft with the Downage, close to Dashwood Road and Woodlands Park. The application site is shown in the red line plan below.



It is constructed of facing bricks with white painted feature boarding and concrete roof tiles.

An integral has been converted to living accommodation and the front of the property is totally hard paved by block paving providing parking space for 3-4 cars. There is a double metal gate from the rear garden on to a parking and garage court within the Downage. The rear garden is artificially lawned and runs across the width of the plot but is fairly limited in depth and the area is reduced further by the rear garden shed.

The surrounding area is comprised of mainly two-storey detached and semi-detached dwellings, many of which are of a similar original design to that of the application property.

The property is shown in the 3D Google Earth images below.



Planning History

Ref No	Description and Site	Decision	Date
19740359	Details pursuant to conditions (i), (ii), (iii), (iv) (v) (vi) in respect of residential development for 33 dwellings	Approval of details	30.10.1974
19750571	Substitution of dwelling types on plots 1 to 12 and 20 to 24 inclusive	Approval of details	06.10.1975
19980755	Erection of part two storey and part single storey side extension incorporating the existing garage to form enlarged garage and dining room with two	Permission	23.02.1999

	bedrooms at first floor level.		
20000271	Erection of part two storey and part single storey side extension to form garage and dining room at ground floor level and 2 no. bedrooms at first floor level and construction of pitched roof over existing flat roof single storey front extension.	Permission	22.05.2000
20060101	Erection of two storey side extension to form enlarged kitchen with bedroom over.	Refused	23.03.2006
20170789	Conversion of garage into habitable room with 1st floor extension above and erection of a two-storey side extension.	Permission	26.01.2018
20200527	Demolition of existing conservatory and erection of two storey rear extension.	Refused	31.07.2020
20200942	Demolition of existing conservatory and erection of a two-storey rear extension	Refused Appeal Dismissed APP/K2230/D/21/ 3266633	12.11.2020 19.05.2021
20211097	Demolition of existing conservatory and erection of a two-storey rear extension.	Permission	13.10.2021
20220534	<i>This Application</i>		

Proposal

The proposal is described as being for amendment to approved application 20211097 for demolition of existing conservatory and erection of a two-storey rear extension, to allow a minor increase in the extension.

Plans and Form

Application Form and Certificates

Drawing No 001 Rev A: Site Location Plan, As Approved Block Plan, Proposed Block Plan
Drawing No 002 Rev A: Existing Floor Plans - Ground Floor Plan, First Floor Plan
Drawing No 004 Rev A: Existing Elevations - Front, Rear, South-west, North-east
Drawing No 006 Rev A: Proposed Floor Plans - Ground and First Floor Plan, Section AA
Drawing No 007 Rev A: Proposed Elevations - Front, Rear, South-west, North-east
Drawing No 008 Rev A: Existing Block Plan

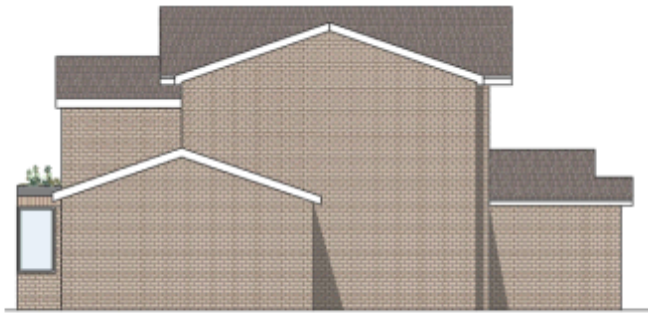
Supporting Documents

Planning Statement dated 18 May 2022
Drawing No 003 Rev A: As Approved Floor Plans (under refence 20211097) - Ground and First Floor Plan, Section AA
Drawing No 005 Rev A: As Approved Elevations (under refence 20211097) - Front, Rear, South-west, North-east

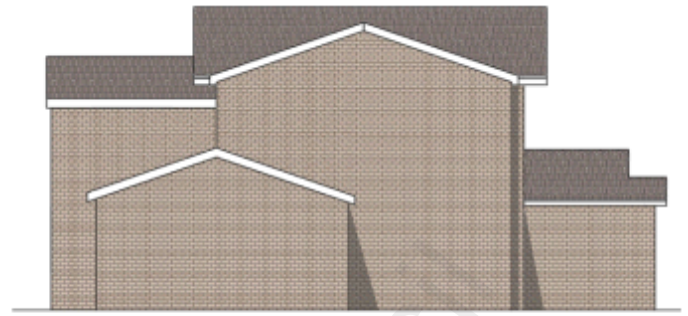
Details of the Development

The proposal is for an amendment to the previously approved planning application 20211097 to allow a further of 1 metre first floor rear extension.

The as approved and as now proposed side elevations (south west - to the Downage) are shown below

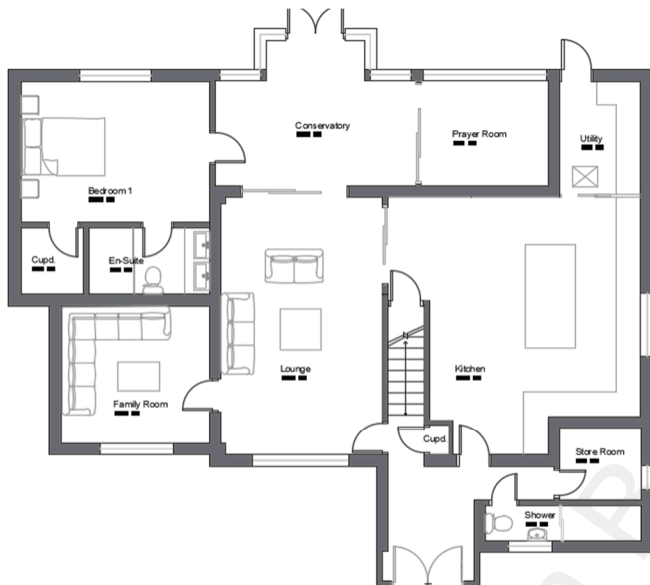


As Approved Side Elevation

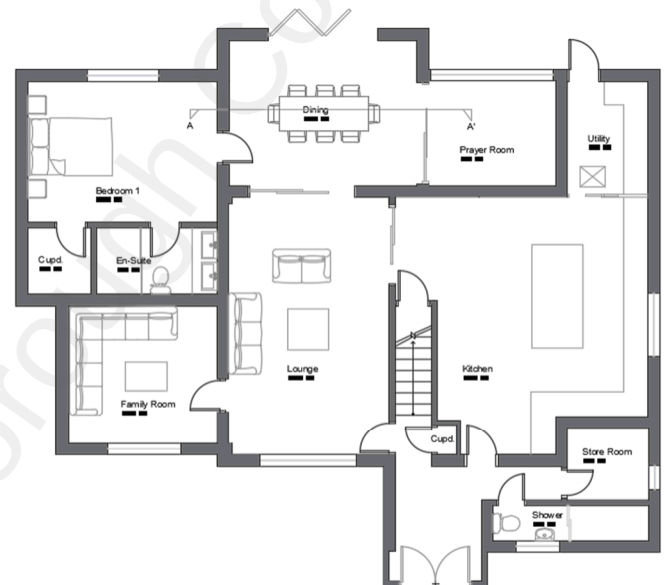


Proposed Side Elevation

The proposal also includes extending the ground floor to achieve usable space downstairs which is a 2 sqm increase in the footprint as shown in the as approved and as now proposed floor plans below.



As Approved Ground Floor Plan



Proposed Ground Floor Plan



First Floor Plan (as approved)



Proposed First Floor Plan

The first floor sees a minor increase in floor space but the use of the first-floor room at the rear remains

described as a home library.

The submitted Planning Statement says:

We are confident that the proposed extension would not have a harmful effect on the character and appearance of the host dwelling and the surrounding area. Accordingly, the proposal complies with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) (CS) and the National Planning Policy Framework (the Framework) which together require development to be of a high quality, to conserve and enhance the character of the environment and to integrate well with the surrounding local area.

Development Plan and other Relevant Planning Policies and Guidance

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)*

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

Gravesham Local Plan First Review 1994

The Gravesham Local Plan First Review was originally adopted in November 1994. The following remaining saved policies are relevant to the consideration of this proposal:

Policy T1: Impact of Development on the Highway Network
Policy T5: New Accesses onto Highway Network
Policy P3: Vehicle Parking Standards

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 4: New Accesses and Junctions
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 following paragraphs in the National Planning Policy Framework (NPPF) July 2021 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

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). It indicates that when used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.

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:

- Kent Design Guide (SPG 5 published December 2005, adopted July 2006).
- Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006).
- Vehicle Accesses on Classified Highways (SPG6 November 1992).
- 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

GBC Highways Development Management Officer

The application has no implications on the highway, I have no objections.

GBC Regulatory Services (Environmental Protection)

Code of Practice on Construction and Demolition

Please apply

Watching Brief

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical, and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Lighting

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

Ward Councillors

No comments received

Publicity and Representations

A site notice was displayed on site (Article 15) and 15 surrounding properties were consulted with an overall expiry date of 01 July 2022 - no responses were received.

Planning Analysis and Assessment

Introduction

The application property is an extended two storey detached dwelling situated in Farmcroft. The proposal is for an amendment to approved application 20211097 for demolition of existing conservatory and erection of a two-storey rear extension, to allow a minor increase in the extension.

The property has had a number of extensions - a part two storey and part single storey side/rear extension on the south-west flank elevation, a single storey side extension on the north-east flank elevation, a single storey rear extension, conservatory on the rear elevation and a front porch and pitched roof over original front projection. There is also a detached shed in the rear garden.

When planning permission was granted in 2017 (ref 20170789) for a conversion of the integral garage into a habitable room with first floor extension above and erection of a two-storey side extension a planning condition was imposed withdrawing permitted development rights for any further enlargements on grounds that:

The property has been extensively extended and altered prior to this current planning consent and further development will have the potential to adversely impact on the amenities of adjoining occupiers and the character and appearance of the streetscene and wider area in general. Therefore, further development needs to be controlled to enable the Local Planning Authority to retain control over the development of the site ensuring further additions are appropriate in term of amenity of adjoining occupiers and the character and appearance of the streetscene and wider area in general.

There was a previous application for removal of the existing conservatory at the rear and erection of a two-storey rear extension (for a dining room at ground floor and additional 5th bedroom at first floor) which was refused in July 2020 (ref. 20200527). This application was refused on the following ground:

The site is subject to overdevelopment and the proposal adds to the existing bulk of the dwelling. The proposal also fails to safeguard neighbouring properties' amenities and as such is contrary to Policy CS19 of the Core Strategy 2014.

A further application (20200942) was then submitted in September 2020 for an almost identical extension with the only differences being a marginal reduction in depth from 4m to 3.8m, the extension being set slightly down from the ridgeline of the host dwelling and a slightly smaller first floor window.

This was also refused on 12 November 2020 on grounds that:

- 1. The proposal would result in an even further undersized garden area which would provide unacceptable living conditions for existing and future occupiers. As such the proposal would therefore be contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and section 12 (Achieving well designed places) of the National Planning Policy Framework 2019.*
- 2. The proposal would add further and substantial built form to the dwelling which has already been significantly extended, further eroding the scale and character of the original host dwelling as well as causing harm to the streetscene. As such the proposal would therefore be contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and section 12 (Achieving well designed places) of the National Planning Policy Framework 2019.*

A subsequent appeal was **dismissed** on 19 May 2021.

On the first issue (the undersized garden) the Inspector concluded that the proposal would not have a harmful effect on the living conditions of existing and future occupiers with particular reference to outdoor space. He stated:

The rear garden of the host dwelling is already restricted in terms of its depth and its overall area falls short

of the 100sqm guidance for dwellings with four or more bedrooms set out in the Council's Residential Layout Guidelines Supplementary Planning Guidance (1996) (SPG). The appeal proposal would add a further bedroom, resulting in a five-bedroom dwelling.

The footprint of the proposed rear extension would only be marginally greater than that of the existing conservatory to be replaced. Whilst the proposal would result in more living accommodation, I consider that the overall amount of outdoor space available for the existing and future occupiers would not be reduced by the appeal proposal to such an extent that the living conditions of the occupiers of the property would be significantly compromised.

On the second issue however, the Inspector concluded that the proposed extension would have a harmful effect on the character and appearance of the host dwelling and the surrounding area. He stated:

The proposed two storey rear extension would add additional significant built form which would further obscure much of the original rear elevation of the dwelling at first floor level. The proposed hipped roof design of the extension would appear awkward when read against the rear gable of the host dwelling. Overall, I consider that the proposed extension would appear as a bulky, incongruous addition to the dwelling that would fail to integrate satisfactorily with the host property. Furthermore, in combination with the previous additions and due to the general lack of space around the dwelling, I also find that the proposal would result in an overdevelopment of the site which would be detrimental to the character and appearance of the host dwelling.

The rear elevation of the dwelling is also clearly visible from the adjacent road to the side, The Downage, particularly when approaching the junction with Farmcroft. Due to the overall design, size, scale and bulk of the extension and its failure to integrate well with the host property, I consider that the proposal would detract from the character and appearance of the street scene and the surrounding area.

A further application in 2021 (20211097) for demolition of existing conservatory and erection of a two-storey rear extension was permitted in October 2021.

The officer report indicated that in comparison to the more recent refused scheme rejected on appeal there had been some notable changes, namely:

- The two-storey element had been reduced in depth by a further one metre from 3.8m to 2.8m
- The roof shape had been amended from a hipped roof that looked awkward to a gable roof to reflect the form of the main roof
- The overall roof height had been reduced from 6.2m to the ridge to a ridge height of 5.6m
- There was still a further projection beyond the two-storey element, but this was only single storey and only 3m wide by 1m deep the same as existing, effectively only being the removal of the glass roof (of the conservatory) with a flat roof

Further negotiations with the applicant's agent secured beneficial changes to the rear fenestration at first floor level, lining up the width of the window to that below.

It was concluded in the officer report:

Whilst the proposed extension still represents a bulky addition to the dwelling cumulatively, taking into account the extent of other additions already permitted and the scheme is still on the margins of acceptability with the changes now offered and the further design amendments sought through negotiation it is considered that the balance is now just tipped towards acceptability in terms of the design of the development and its impact on the character and appearance of the dwelling and the overall street scene.

The Issues

The principal issues in the consideration of this further application, and taking into account the past history, are:

- Design, Character and Appearance
- Amenity of Future Occupiers

- Amenity of Neighbouring Properties
- Parking and Highway Safety
- Any other material planning considerations

Design, Character and Appearance

General Policy Issues

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 (LPCS) sets out detailed criteria against which the acceptability or otherwise of proposed development will be evaluated. 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, historic and natural environment, 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 be located, designed, and constructed 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.

Emerging Policy (Policy RES 4: Domestic Extensions, Outbuildings and Other Development) of the Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020 states:

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.*

At a national level the National Planning Policy Framework (NPPF) 2021 sets out in Paragraph 126 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. Developments should also ensure that there is a high standard of amenity for existing and future users.

Paragraph 132 advises that applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community.

It also states (Paragraph 134) 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.

Evaluation and Assessment

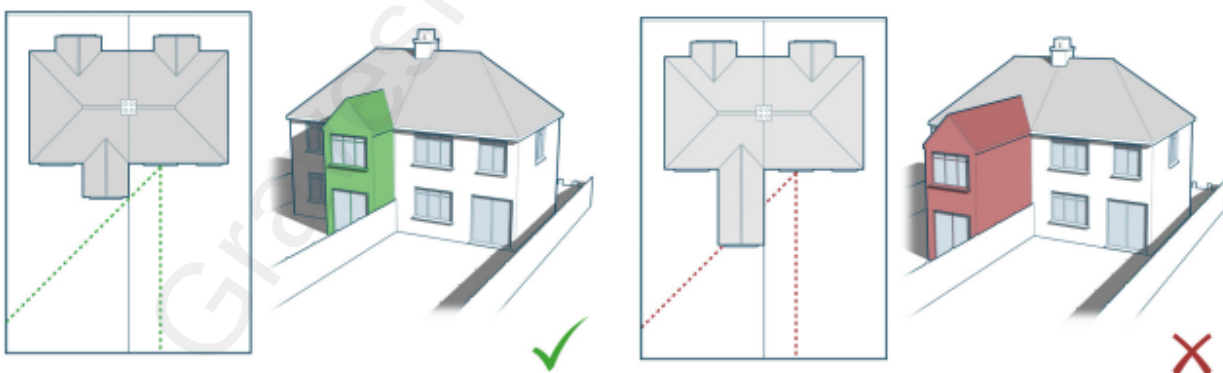
The Council's Householder Extensions/Alterations Design Guide SPD (October 2021) states, in respect of rear additions, that:

Two Storey and First Floor Rear Extensions

10.3 Two-storey rear extensions are often desirable as they create more space within a home, however they are not appropriate in all circumstances e.g., mid-terraced properties, and need to be carefully designed to avoid negatively impacting neighbouring properties. Proposals for two-storey rear extensions should consider the surrounding context, and ensure that:

- Depth: The extension does 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.
- Height: two storey extensions can have very significant impact on neighbouring amenity, so should generally not be built up to site boundaries with neighbouring gardens / properties.
- Width: Extensions should not be of greater width than the original building.
- Design: Taller extensions are of greater visibility, and should incorporate roof designs to reflect, tie in with and not overwhelm the main property's roof. Patterns and proportions of windows should reflect the host building and local character.
- Materials: Using matching external materials and window / door frames is especially relevant for two storey extensions.
- Overlooking: Extensions should avoid inserting any flank windows, or involve raised platforms where they would allow new, or increased overlooking views into neighbouring gardens / properties.
- Light / Outlook: The 45 / 25-degree rule will be used to assess the impact of the extension on neighbouring light / outlook.
- Garden Space: Adequate garden area for the enlarged house should be retained following development

A two storey extension should comply with the 45 degree rule. (See Appendix 1).



In this case the amendment to the scheme that was approved last year is relatively minor at both ground and first floor level although cumulatively with all the other extensions that have been added to the dwelling it is arguable as to whether the extension is subservient to the existing dwelling and as indicated in the case officer report previously it is really at the margins of acceptability.

The development as now proposed is coming close to the extent of development that was refused and dismissed on appeal (2020942) in terms of its bulk and size although the design and detailing are more

appropriate in the current scheme compared to the refused scheme.

A comparison of the rear elevations of the refused scheme and this scheme are shown below.



Proposed Rear Elevation



Proposed Rear Elevation

Above: The Refused Scheme (2020942)

Above: The Current scheme (20220534)

There is now very little difference in terms of the depth of the extension from that refused.

Whilst the development is at the rear of the property, it is more widely visible in the street scene as the property is a corner plot and can be seen at street level in The Downage, as in the case officer photograph below



The materials (bricks, roof and ridge tiles) are to match, and this can be the subject of a planning condition.

It is a finely balance judgment in this case in respect of the impact on character of the building and streetscene but it is considered that the proposals in this application are of a suitable design and can be accommodated within the site and would not materially or severely harm the character or appearance of the dwelling or detrimentally impact on the street scene such that grounds of refusal could be justified and defended in the event of a possible planning appeal and the development will therefore comply with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and section 12, Paragraphs 126 - 136: Achieving well-designed places of the National Planning Policy Framework (NPPF), although the cumulative bulk and massing that this extension will add to this dwelling is unfortunate and arguably on the margins of being overdevelopment.

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy 2014 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 and set out how these would be applied through planning policy. From 1 October 2015, existing Local Plan policies need to be interpreted with reference to the nearest equivalent national technical standard. Therefore, for Gravesham, Local Plan Core Strategy policies CS18 Climate Change and CS19 Development and Design Principles, Local Plan First Review saved policies H5 and AP10 and associated guidance in the Residential Layout Guidelines Supplementary Planning Guidance (SPG), should be interpreted by reference to the nearest equivalent new national technical standard.

The Housing Standards Policy Statement and GBC Residential Layout Guidelines are set out in the Council's website via the following link:

<https://www.gravesham.gov.uk/downloads/file/243/residential-layout-guidelines-spg2-inc-housing-standards-policy-statement-2015>

The National Technical Standards require bedroom sizes of 7.5m² for a single bedroom and 11.5m² for a double bedroom and minimum overall areas of 70m² for a 2-bedroom (4 person) unit and 86m² for a 3-bedroom (5 person) unit. The development provides acceptable internal living standards according with national space standards with the smallest bedroom being indicated as 11.3m².

The proposal benefits the occupants of the dwelling by marginally increasing the floor area of the building but at the expense of the applicant's private amenity space. However, this was not deemed to be unacceptable when considered by a Planning Inspector in a planning appeal at this site in 2021.

Generally, therefore the development will provide a satisfactory living environment for the future occupants of the dwelling in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and section 12, Paragraphs 126 - 136: Achieving well-designed places, of the National Planning Policy Framework 2021.

Neighbouring Amenity

In considering any proposals for development it is important to ensure that it does not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. Safeguarding residential amenity, in terms of privacy, daylight and sunlight and ensuring that all development proposals are fit for purpose and adaptable to meet the need of users are important considerations referred to in Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

At a national level Paragraph 130 of the National Planning Policy Framework 2021 indicates that planning policies and decisions should ensure that developments, amongst other things, are safe, inclusive and accessible which promote health and well-being, with a high standard of amenity for all existing and future occupants of land and buildings. Paragraph 132 advises that applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community.

Emerging Policy (Policy RES 4: Domestic Extensions, Outbuildings and Other Development) of the Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020 states:

Paragraph 9.4.8. Any such development should not have an unacceptable adverse impact on the occupiers of neighbouring properties due to loss of sunlight and daylight or overlooking. Where the potential for an unacceptable adverse impact due to loss of sunlight or daylight exists, an application should be accompanied by a formal assessment undertaken in accordance with policy AM4.

Paragraph 9.4.13 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.

In this case due to the siting of the extension and its distance from neighbouring properties, it would not cause any material impact on any neighbouring properties with regards overshadowing or loss of outlook.

There would be windows in the rear elevation, a dining room at ground floor level and a window to the library at first floor level. There would be a distance of approx. 25m between the first-floor window and the nearest bedroom window of the nearest neighbouring property to the north-west no. 27 The Downage and a similar distance between the nearest habitable room at ground floor level, which is a living room. The distances are only very slightly under the minimum 26m distance expected between facing habitable room windows where there is a private garden area within the 'field of view' and as such it is considered that there would be no significant undue impact on the amenity of occupiers of no. 27 due to overlooking from the first-floor window. The proposed ground floor dining window doors would be screened by boundary treatment so no material overlooking issues would occur.

It is noted that there have been no neighbour representations or objections to the development at all

Whilst it is acknowledged that the development will result in some inevitable neighbour impacts those impacts are not considered to be sufficiently material as to justify grounds of refusal and on balance it is considered that the development is in conformity with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and section 12, Paragraphs 126 - 136: Achieving well-designed places, of the National Planning Policy Framework 2021.

Parking and Highway 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) and Planning Policy for vehicular accesses to classified highways (SPG 6, November 1992).

The frontage of the site showing existing parking arrangements is shown in the case officer photograph below.



SPG4 (KCC vehicle parking standards) states that for a property with four or more bedrooms there should be a maximum of 3 spaces per dwelling. The property would remain as a four-bedroom dwelling. The property has 3 spaces on the front drive and so achieves this standard, although one of the spaces is slightly awkward.

The GBC Highways Development Management Officer raises no objection

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.

Other Material Planning Considerations

None

Conclusions and Balancing Exercise

The development has been fully considered and assessed in relation to the development plan and all material planning considerations.

Whilst the proposed rear extension still represents a bulky addition to the dwelling especially cumulatively when taking into account the extent of other additions already permitted, and the scheme is on the margins of acceptability but it is considered that the balance is tipped towards acceptability in terms of the design of the development and its impact on the character and appearance of the dwelling and the overall street scene and is therefore not contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 or section 12, Paragraphs 126 - 136: Achieving well-designed places, of the National Planning Policy Framework (NPPF).

There would be no significant material impact on the neighbouring dwellings, and it is not considered that the neighbour privacy or amenity would be materially harmed by either loss of light (sunlight/daylight) or overlooking or overshadowing to a degree as to justify refusal.

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:

Plans and Form

Application Form and Certificates

Existing Plans

Drawing No 002 Rev A: Existing Floor Plans - Ground Floor Plan, First Floor Plan
Drawing No 004 Rev A: Existing Elevations - Front, Rear, South-west, North-east
Drawing No 008 Rev A: Existing Block Plan

Proposed Plans

Drawing No 001 Rev A: Site Location Plan, As Approved Block Plan, Proposed Block Plan
Drawing No 006 Rev A: Proposed Floor Plans - Ground and First Floor Plan, Section AA
Drawing No 007 Rev A: Proposed Elevations - Front, Rear, South-west, North-east

Supporting Documents

Planning Statement dated 18 May 2022
Drawing No 003 Rev A: As Approved Floor Plans (under reference 20211097) - Ground and First Floor Plan, Section AA
Drawing No 005 Rev A: As Approved Elevations (under reference 20211097) - Front, Rear, South-west, North-east

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 extension 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 applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical, and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Reason: In order to ensure any potential contamination is suitably re-mediated in the interest of protecting groundwater and human health and safety and to ensure suitable material is imported to site and appropriate measures for disposal of site waste are employed and pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

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.

5 LIGHTING

GBC Regulatory Services (Environmental Protection) advise:

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

Case Officer:	Mr Peter Price	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	19th July 2022	Dated:	20th July 2022

Gravesham Borough Council