



Delegated Report

Householder Planning Application

Planning Application No: 20240663

Location: 64 Harden Road Northfleet Gravesend Kent

Description: Demolition of existing garage and construction of outbuilding to form an annexe to be used ancillary to the main dwelling house.

Applicant: Sylvia Nnamudi

Site Visit Date: 07.10.2024

Submitted Documents/Plans

- Drawing No: A103 REV 2 (Proposed Section and Elevations)
- Drawing No: A107 REV 2 (Proposed Elevations)
- Drawing No: A101 (Proposed Plan)
- Drawing No: A100 (Existing/Proposed Block Plan)
- Drawing No: A102 (Proposed Roof Plan)
- Drawing No: A104 (Existing Elevations)
- Drawing No: A106 (Existing Ground Floor Plan)

Supplementary Information

- Land Registry

Relevant Planning History

Reference	Description	Outcome	Decison Date
19870809	Erection of detached garage at the side	Permitted	23.12.1987

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 (2023) 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 (2023), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 4 – Decision Making
- Section 12 – Achieving Well-Designed and Beautiful Places

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Technical Housing Standards – Nationally Described Space Standard (2015)

Consultations, Publicity and Representations

Local Ward Councillors

No comments received.

Neighbouring properties

The application was advertised by way of letters to 6 surrounding properties. The consultation period expired on 18.09.2024 and one objection was received.

The main points raised were:

- Parking is a huge issue on Harden Road and Struttons Avenue removal of a garage and possible driveway will only add to the situation
- Hard to gain entry to disabled parking with a disability vehicle because of how the parking is.
- Has had refusal for a dwelling on own land.
- Placing another property in this area will cause more parking problems

Some of the points raised are no material planning conditions. The refusal of other planning applications is not a material planning consideration.

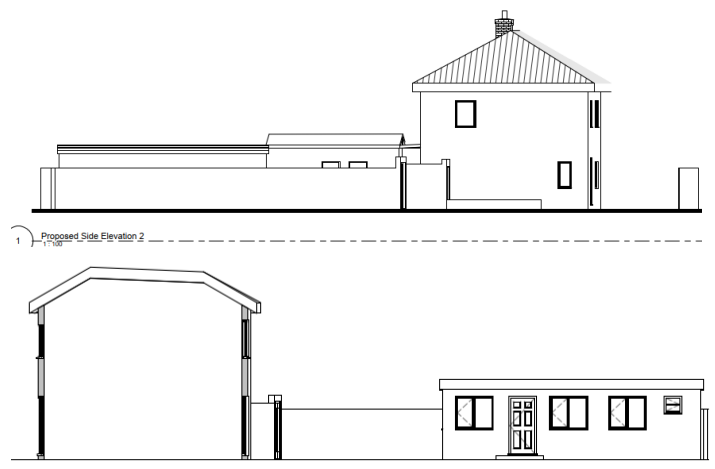
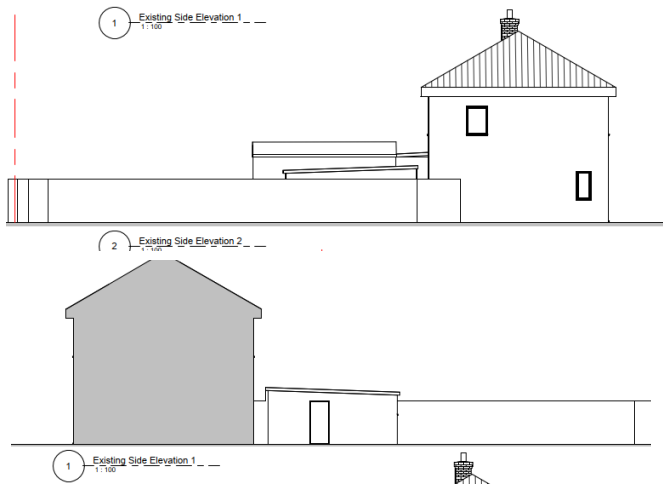
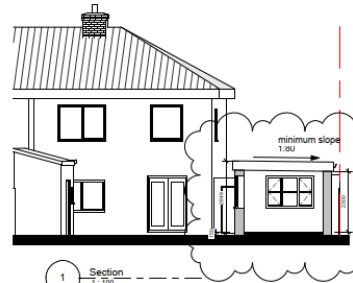
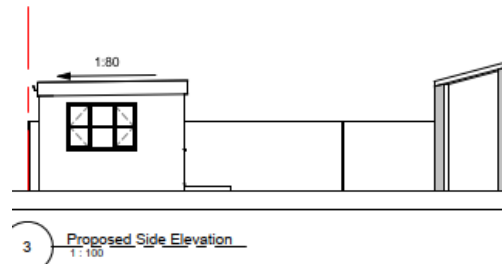
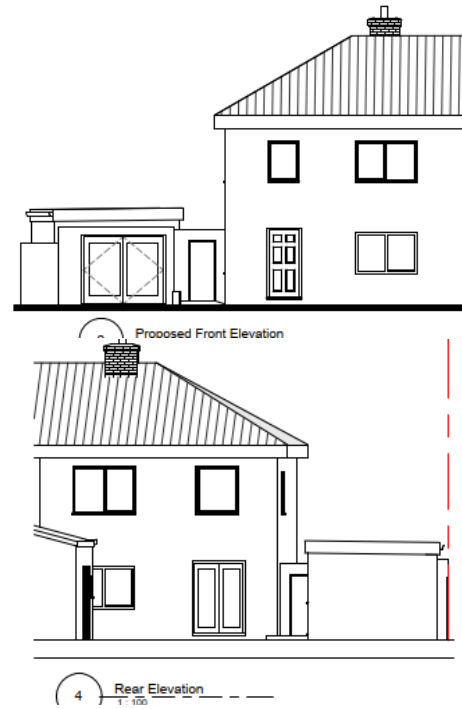
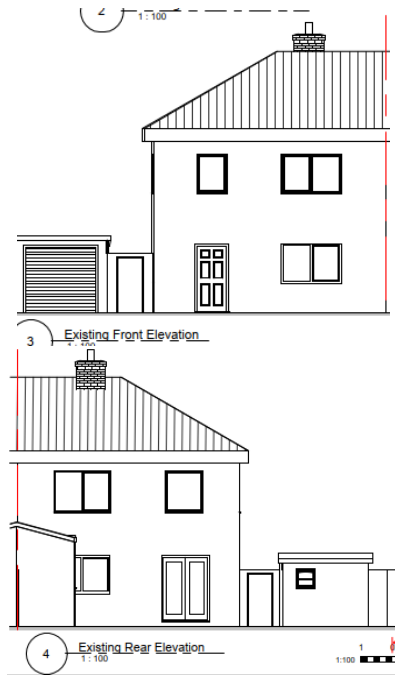
Analysis

Proposal

The proposal seeks to demolish an existing garage and erect an annexe in the rear garden to be occupied by a family and used in conjunction with the main dwellinghouse. The annex will contain a bedrooms/living area, kitchenette and a shower w/c.

Existing

Proposal





Background

The existing garage was permitted under reference 19870809, condition 2 of this planning consent stated:

(11) The garage hereby permitted shall be used only for the parking of a private motor car or for uses ordinarily incidental to the enjoyment of 64 Harden Road, Northfleet as a private dwelling and no development whether or not permitted by the Town and Country Planning General Development Order 1977 (as amended) or by any provision equivalent to that Order in any statutory instrument revoking and re-enacting that Order shall be carried out on the site in such a manner or in such a position as to preclude vehicular access into the garage.

Principle of development.

The proposed annex will be situated along the southern side of the plot which fronts Struttons Avenue. The Annex will have a width of 9.1m and a depth of 3.7m resulting a total area of approx. 34sqm. The annexe will contain a bedroom, w/c and a kitchenette. It will be occupied by a member of the family and be ancillary by virtue of reliance on the main dwelling for day-to-day living functions.

It is recognised that 'residential annexes' in whatever form that might take are an increasingly common form of development that are generally proposed in order to allow relatives to live with their family with some

degree of independence. However, to remain ancillary accommodation and not a separate unit of accommodation, the use of annex must normally retain some form of reliance on the main dwelling.

Identifying a separate planning unit requires consideration of a range of factors and not simply the self-containment of the accommodation and is a matter of fact and degree. Whilst it is acknowledged that the proposed annexe will be detached from the main dwellinghouse and could be considered as being an entirely self contained living unit, consideration needs to be given to a recent appeal (See Appendix 1) at 83 Chalk Road, Gravesend in which the planning inspector stated:

“The description of development applied for is an annexe and the householder application form was submitted. Both these have been accepted by the Council and the proposal advertised on this basis. As such, the scheme before me is not for a separate dwelling and it is important that I consider the application as proposed.”

Appeal Decision APPIK2230/W/23/3319422

The inspector went on to say:

Whilst the proposed building would provide facilities that might allow for independent day-to-day living, that does not necessarily mean the accommodation would be occupied independently or become a separate planning unit from the main dwelling. As a matter of fact and degree, the accommodation would plainly be capable of being occupied as an annexe, taking into account the following: the intended occupier would be a close family member who is likely to share various living activities with the family in the main dwelling; the whole site of 83a Chalk Road would remain a single unit; the garden area is capable of being shared; and the floor space of the annexe would be far smaller than the floor space of the main dwelling.

The annex will be situated within the main garden area of the main dwelling and there is not a significant distance between the two, there is a paved area linking the two. Given the size of the proposed annexe it is not tantamount to a new dwelling.

Should permission be forthcoming a condition limiting the permission to ancillary accommodation is considered necessary to prevent the use of the building as a separate dwelling.

Character and Appearance

The application site is a two storey semi detached dwelling in use as a single family dwelling. The property is situated on a corner plot with Harden Road running along its frontage and Struttons Avenue running along the side. The proposed annex will be situated along the southern side of the plot which fronts Struttons Avenue. The Annex will have a width of 9.1m and a depth of 3.7m resulting a total area of approx. 34sqm.



The property has a garage to the side which was granted consent in 1987. This garage is currently disused and will be demolished as part of this proposal. As can be seen from the below image the garage is in a significant state of deterioration and has vegetation growing from it.



There is a dropped kerb from Struttons Avenue which serves the garage and whilst a historic situation, it would certainly not be something which would be supported under current policies.



The proposed demolition of the garage is not considered to be harmful to the wider character and appearance of the area and the wall and doors which will replace the front elevation are considered acceptable as they will offer security to the rear garden. The existing hardstanding served by the dropped kerb, whilst substandard will remain and continue to offer an off road parking space.

The design of the proposed annex is not excessive in size or bulk, it will be situated along the southern boundary which will make it visible from the main streetscape, however given that this is a corner plot, any outbuilding would be visible from the public realm. Although occupying a significant portion of the garden and exceeding the height of a permitted development outbuilding, a structure with a larger footprint and lower roof height could be constructed.

The outbuilding will be finished with render and a Grey GRP roof and UPVC windows and doors. There will

be patio doors and a window facing North, into the garden of no.64 Harden Road and a second window in the eastern elevation facing in the direction of the main dwelling.

Overall, the outbuilding is not excessive in size or height, will be constructed using appropriate materials and has no impact on the character or appearance of the street scene. As such, the proposal is in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

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.

The Nationally Described Space Standards (2015) require a single storey dwelling for one person requires a floor area of 39m², however it does not provide a figure for an annexe. The floor area of the proposed annexe is approximately 34m², which would fall below the minimum floor area for a unit of single occupation. As the scheme would be an annexe, it is not necessary for it to comply with the floorspace and storage standards for a one-person dwelling set out in national guidance or local policy.

In terms of outlook, there is sufficient light and outlook to the annex as there will be large fenestrations serving the living/bedroom area in the northern elevation and a secondary window in the eastern elevation to allow for additional light and outlook. Furthermore as the accommodation would be occupied in connection with the main dwelling, the need for a more open or wider outlook is less pressing. Therefore, given the nature of the proposed accommodation, the outlook would not be such a significant adverse factor on the living conditions of future occupiers as to warrant a refusal.

Post development the resultant garden space will equate to approx. 154sqm which exceeds the minimum standards set out in the Council's technical standards and so the proposal is considered to safeguard the amenity of future occupants in line with the requirements of Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Neighbouring Amenity

The annex is not excessive in size or bulk, however it will be constructed next to the shared boundary with no.2 Struttons Avenue which is located to the rear of the plot. Given the siting of the annex and the main dwelling at No.2 Struttons Avenue there would not be any adverse impact in terms of loss of light or outlook. Furthermore there are no windows or openings facing towards this property which would impact privacy.

It is noted that No. 2 Struttons Avenue does have some fenestration in the flank elevation which faces No. 64, however there is a gate and some boundary treatment in place to offer some screening, furthermore these fenestration are not considered to serve habitable rooms, based on the floor plans of other similar properties in Struttons Avenue.



The Annex will face directly towards the rear garden area of No. 62 Harden Road, however given that the Annex is located away from the shared boundary no No.62 and the fact that the use of the structure will be as an ancillary annex, it is considered that the use of the outbuilding would not be so frequent to impinge on neighbouring amenities.

Parking and Highways

A neighbour objection was raised and referred to the removal of the garage and possible driveway thus causing a strain on existing parking.

Based on the measurements of the garage this is not considered to be a feasible parking space, and given the state of disrepair it is in, it is clearly not in use. There is currently one parking space on site and whilst substandard it is a historical situation, nevertheless it is a parking space, the proposal does not make reference to the removal of this parking space. There is no scope for additional parking on site.

It is not clear how the introduction of an annex would impact disabled parking as the development is contained within the property curtilage. On balance the proposal is considered acceptable and a refusal on parking grounds is not considered to be a defensible should there be an appeal.

Conclusion & Recommendation

The proposal is recommended for permission subject to conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	28.10.2024	Dated:	4th November 2024