

Delegated Report

Householder Planning Application

Planning Application No: 20220860

Location: 124 Darnley Road Gravesend Kent DA11 0SN

Description: Demolition of lean-to conservatory and erection of single storey wrap-around rear/side extension together with second floor dormer extension to rear.

Applicant: Mr Davinder Chhatwal, DCJS Property Limited

Site Visit Date: 30.08.2022

Preliminary Matters

An extension of time was requested for the application due to an advertisement issue. The agent confirmed this was acceptable on 06.09.22.

Submitted Documents/Plans

Application Form;
Supplementary Information – Photos and Design and Access Statement;
Drawing No. 1237/PA/0001 01 – OS Plan;
Drawing No. 1237/PA/0102 03 – Ground and First Floor Plans – Existing;
Drawing No. 1237/PA/0103 03 – Second Floor Plan – Existing;
Drawing No. 1237/PA/0127 03 – Ground and First Floor Plan – Proposed;
Drawing No. 1237/PA/0003 01 – Block Plan – Proposed;
Drawing No. 1237/PA/0002 01 – Block Plan – Existing;
Drawing No. 1237/PA/0402 01 – Visuals – Proposed;
Drawing No. 1237/PA/0401 01 – Visuals – Existing;
Drawing No. 1237/PA/0128 03 – Second Floor Plan – Proposed;
Drawing No. 1237/PA/0250 03 – Elevations – Existing; and
Drawing No. 1237/PA/0275 03 – Elevations – Proposed.

Plan Note

1. Gravesham's Local Validation List requires a Heritage Statement to be provided as part of the application because the site is within the Darnley Road Conservation Area. This was not provided as part of the application, however, as the proposed development is located to the rear of the site, and the conservation area is mentioned within the Design and Access Statement, this issue is considered to be sufficiently addressed in this instance.
2. The materials listed on the proposed plans does not include the materials for the existing front door. The plans show no changes to the existing door so this will not form part of the application assessment:

MATERIALS - EXISTING:

Roof - interlocking tiles and plain clay tiles, upvc rainwater goods and fascias.

Walls - polychromatic red/buff London stock brickwork with painted stone features to front and side. Painted facing brickwork to rear gable.

Fenestration - white upvc with feature timber/stained glass entrance door.

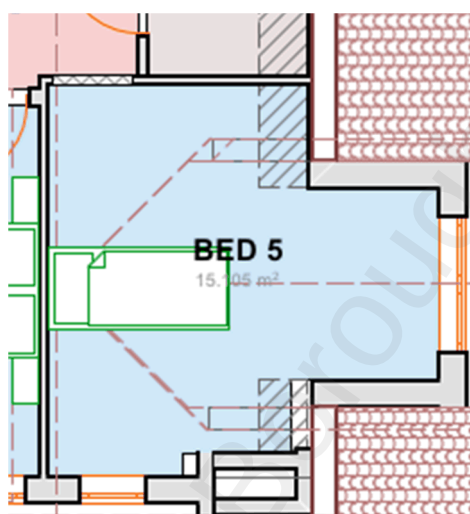
MATERIALS - PROPOSED:

Roof - single ply membrane to ground floor extension, same or standing seam metal to proposed dormer, rainwater goods to match existing.

Walls - London stock brickwork to match existing to ground floor extension, standing seam metal/single ply to dormer extension.

Fenestration - white upvc with aluminium framed flat roof light.

3. The Proposed Second Floor Plan does not show an entrance/exit door on the drawing for bedroom 5.



4. There is a depth discrepancy when measuring the plans. For the assessment of this application, the maximum depth has been used.

If the Local Planning Authority were minded to permit the development, then further clarification of the above would have been sought.

Relevant Planning History

Reference	Description	Decision	Decision Date
19740218	Erection of a garage and formation of a vehicular access.	Permitted	13.08.1974

Planning History Note

The below conditions were included on the decision notice for 19740218.

(ii) The area shown on the submitted plan as a car parking and turning area shall be kept available for such use and no permanent development, whether permitted by the Town and Country Planning General Development Order 1973 or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved car parking and turning space.

(iii) The garage hereby permitted shall be used for the accommodation of private vehicles only.

The reasons for the imposed conditions are:

- (ii) That the development without provision for adequate accommodation for the parking or garaging and turning of a private motor car or cars is likely to lead to car parking and reversing onto the public highway inconvenient to other road users and detrimental to amenity.
- (iii) In order to safeguard the amenity of the occupants of the adjoining dwelling houses.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS11 -Transport
- CS12 - Green Infrastructure
- CS18 - Climate Change
- CS19 - Development & Design Principles
- CS20 - Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC3 – Development Affecting Conservation Areas
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021);
- 19th Century Suburban Conservation Area Management Plan; and
- Darnley Road Conservation Area Character Appraisal (2009).

Section 72(1) of the Planning Listed Building and Conservation Areas Act 1990 (as amended) requires

special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

GBC – Conservation Officer

No comments received.

GBC – Highways Officer

The application is somewhat confusing as not all details regarding the existing property are shown. The existing first floor plan refers to bedrooms 2 to 4 but the application does not show on any drawings where bedrooms one and five are, although it would be fair to assume this is on the second floor, particularly given the description given in the Design and Access Statement.

The car parking requirements do not change for residential properties once there are four or more bedrooms, so there will be no change in terms of this proposal. However, there is a change in cycle parking requirements, as one cycle space should be provided per bedroom. One secure cycle space is therefore required to conform to the requirements of SPG4.

In terms of the specifics. No parking plan has been provided with the application, but irrespective of whether the garage is in use, it exists and could be brought back into use. In addition, the front garden appears to be capable of accommodating a single vehicle. Therefore, in the interests of no detriment, the applicant needs to demonstrate that two car parking spaces are readily available to the residents of this property, along with two secure cycle parking spaces. In terms of policy, Gravesham's adopted policy is for a maximum parking provision for residential properties, as is Kent County Council's for edge of centre properties, but this approach is now largely discredited for residential units and is considered as inappropriate in the National Planning Policy Framework.

An extract from the N.P.P.F. is copied below.

107. If setting local parking standards for residential and non-residential development, policies should take into account:

- (a) the accessibility of the development;
- (b) the type, mix and use of development;
- (c) the availability of and opportunities for public transport;
- (d) local car ownership levels; and
- (e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

108. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with [chapter 11](#) of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

It is recommended that the applicant should submit a parking plan for two vehicles and details on how the

secure cycle parking space will be provided.

Given the space available in the back and front gardens a condition to provide a parking plan would suffice. The applicant should note that a parking space should be 2.5 metres wide x 5 metres long except where it is adjacent to an enclosed boundary when the width is increased to 2.7 metres or when it is in front of a door or gate when the length is increased to 6 metres to provide pedestrian access to the door/gate.

It is noted the property appears to be wide enough to accommodate two vehicles parked side by side in the front garden which could be served by a new double width carriage crossover.

Neighbouring properties

A site notice was displayed on 12.08.22, the application was advertised in the paper on 08.09.22, seven surrounding properties were consulted, and one representation was received - objecting to the proposal. The overall consultation period expired on 30.09.22.

The representation raised concerns regarding the single storey rear extension including:

- The length and height of the proposed extension, along with its positioning will severely restrict light to the kitchen.

The above is considered a material planning consideration, and will be addressed in both the design, character and appearance section, and the neighbouring amenity section of this report below.

Officer's Analysis

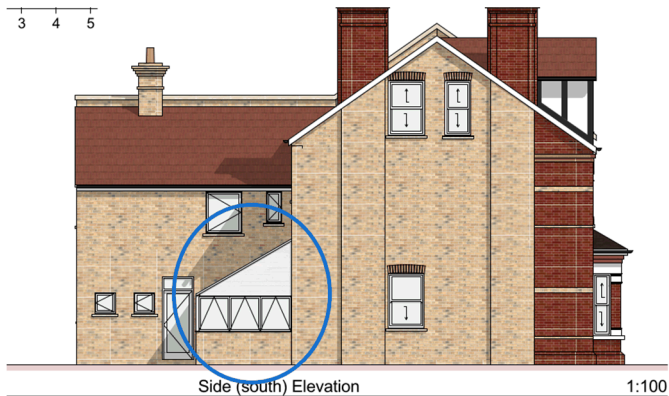
124 Darnley Road is a two storey semi-detached dwellinghouse with rooms in the roof. The property is located to the West of the highway and lies within the Darnley Road Conservation Area. The frontage is hard paved, and there is a side access that leads to a detached garage in the rear garden.



Proposed Development

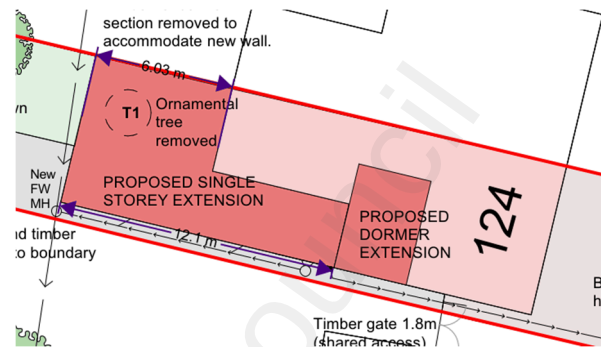
The existing conservatory is to be demolished and this application proposes the erection of a single storey wrap around rear/side extension, together with the construction of a dormer in the rear roof slope.

Existing Side Elevation depicting conservatory to be demolished



Block Plan showing the extent of the proposed development

(note, the development has a depth of 12.10m from one rear wall and 6.03m from the other)



The dimensions of the development are listed below:

Wraparound Extension

- Depth (max) of 12.10m
- Width 6.44m
- Height 3.76 (max)

Dormer

- Width 4.59m
- Depth 3.63m
- Height 2.86m

Existing Elevations



Proposed Elevations





The single storey extension would create space for internal layout changes including the formation of a guest bedroom, shower room, laundry room and utility room on the ground floor. The dormer would make space for larger rooms on the second floor to be used as bedrooms. It is unclear from the floor plans how many existing bedrooms the property has, but the indication from the design and access statement is that the development would result in the property having one additional bedroom; going from a five bed to a six bed dwelling.

Impact on the Conservation Area

The site is located within the Darnley Road Conservation Area and as such the principle issue in determining this application is whether the proposed development will preserve or enhance the character and appearance of the Darnley Road Conservation Area. As such, Policy CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC3 of the Gravesham Local Plan First Review November 1994 are relevant. These policies place a high priority on the preservation, protection and enhancement of the heritage and historic environment.

The proposed development is located to the rear of the property and would be unlikely to be seen from the public vantage point. The plans indicate no changes are proposed to the front elevation of the dwelling itself, however there is mention of a ramp to assist with front door access. Insufficient details were provided for the proposed ramp, however this would not be reason to refuse the application and instead could be conditioned to ensure the design and appearance of the ramp is satisfactory, if the Local planning Authority were minded to permit the application. Therefore, it is considered the proposed development would not have a detrimental effect on the character and appearance of the Conservation Area.

Overall, the development is in accordance with statutory test 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), saved Policy TC3 (Development Affecting Conservation Areas) of Gravesham's Local Plan First Review (1994) as well as Section 16 of the National Planning Policy Framework (2021).

Design, Character and Appearance

Proposed Single Storey Rear/Side wraparound Extension

Gravesham's Design Guide, Householder Extensions/Alterations Design Guide (Design SPG) (2021) sets out the expectations for proposed extensions. As per the guide, single storey rear extensions should ensure the following:

- 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.
- Care should be taken to limit the height of extensions where they abut neighbouring property boundaries, especially where extensions are of significant depth (above 3m deep).
- Width: Generally, extensions should not be of greater width than the original building.

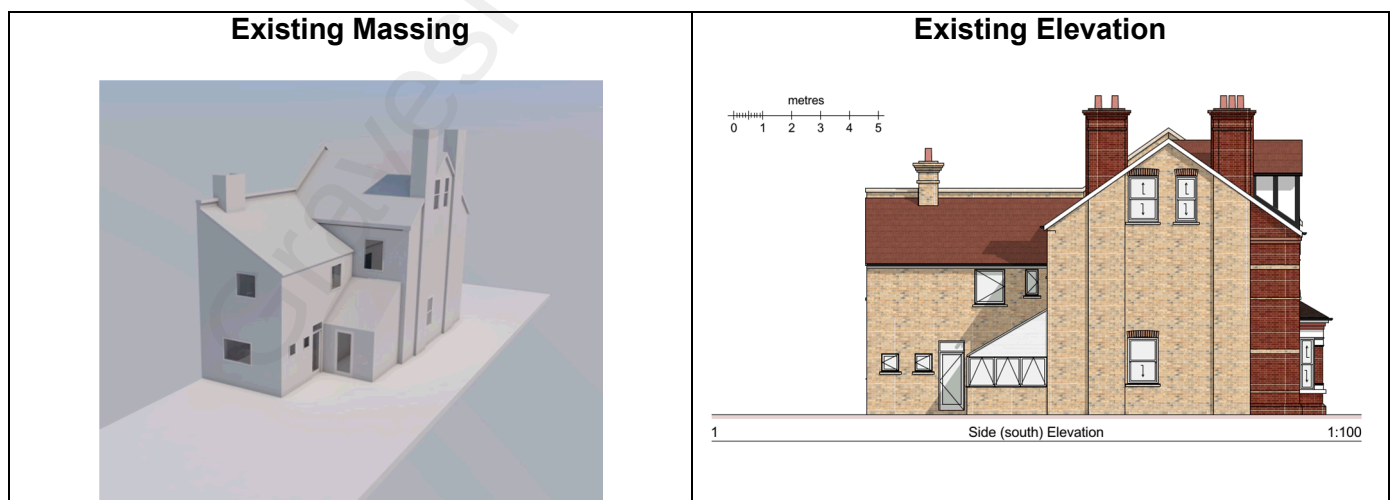
Windows should adhere to the following:

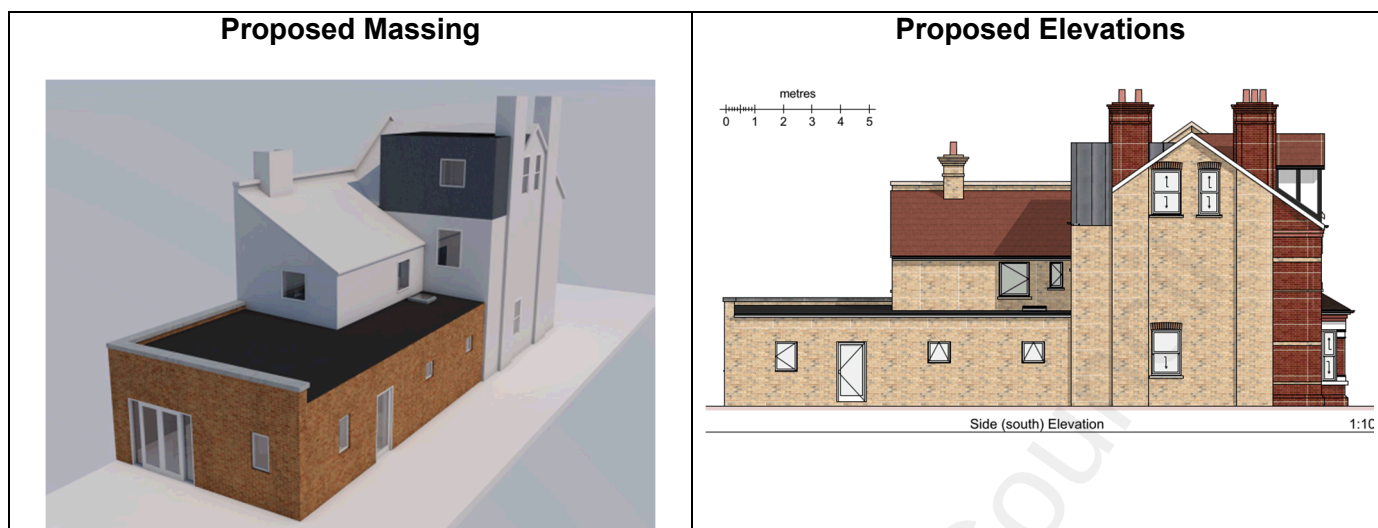
- The type, proportions, frame pattern and materials of the new windows and doors should match those of the original house.
- The proportion of windows is particularly important in successfully integrating an extension with an existing building, as this could affect the appearance of the property regardless of whether it needs planning permission. For example, an extension to a house with windows of vertical proportion should not have windows that are square or horizontal in proportion
- New windows should be arranged to line up vertically and horizontally with those of the original house, to give a sense of balance and proportion.

In addition, side extensions should also ensure:

- Width: Extensions should generally be no greater than half the width of the original building.

The proposed wraparound extension is large and would consist of a depth of 12.10m from one rear wall and 6.03m from the other, it would have a maximum width of 6.44m and a maximum height of 3.76m (inclusive of the parapet wall.) According to the proposed block plan, the existing ground floor area is 64.40sqm and the proposed additional ground floor area would be 56.50sqm, which nearly doubles the footprint of the existing dwelling. Although the proposed extension is single storey, this development would create an unacceptable level of bulk and massing that overwhelms the original property which would cause the site to appear overdeveloped. This is highlighted by the plans and images below.





The proposed extension would have an incongruous appearance and by virtue of additional footprint and depth, it is not considered subordinate to the original dwelling and would instead serve to overwhelm the original property. Although the new windows in the rear/side extension would be unlikely to be viewed from a public vantage point, they should align with the existing windows on the first floor and be sympathetic to the shape and size of the existing.

It is noted in the Design and Access statement that *the applicant wishes to improve the accommodation to create a ground floor accessible bedroom suite*. The Local Planning Authority consider that this could be achieved with a smaller extension, particularly as there is a 14.5sqm utility room and a 6.5sqm laundry room shown on the plans.

The proposed materials for the single storey rear/side wraparound extension include London stock buff bricks, pcc coping stone to top the parapet wall, black rainwater goods, white upvc doors and windows, all to match the existing dwelling. The flat roof of the extension would have one dark grey aluminium framed flat roof light. The materials for the extension are considered acceptable as they are to the rear/side of the property and the development would be unlikely to be seen from the public vantage point.

In addition, the plans show a section of the timber fencing boundary treatment is to be removed and replaced with the extension wall, meaning part of the shared boundary will be 3.76m high. This will be assessed further in the neighbouring amenity section of this report. The plans also show a new pcc patio. As this area is already hard paved, this is considered to be visually acceptable, but will be discussed further in the highways and parking section of this report. On the application form in the materials section, a security light is proposed to the rear (PIR and timer controlled.)

The plans and application form indicate an ornamental Fuchsia tree would be removed to make space for the development. The tree does not benefit from a Tree Preservation Order, however it is in the conservation area. If the Local Planning Authority were minded to permit this application then it could be conditioned to ensure a soft landscaping plan is submitted showing a new replacement tree is to be planted to mitigate the loss of the tree.

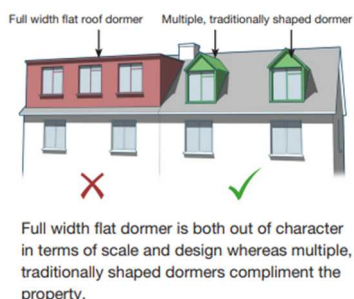
Rear Dormer

As per Gravesham's Design SPG (2021) relating to roof extensions, a high standard of design shall be required. Rear roof extensions and alterations should be set away from the gables, hips, eaves and ridge of a property and follow the guidance below:

- Height: Should be lower than the existing ridge-line, and original ridgeline treatment should be retained.
- Dormers should not overwhelm the roof slope within which they are to be placed.

- Alignment of Windows: Should include window position and design which reflects the position, design and character of windows to the lower levels of the host original building.

The Design SPG (2021) indicates a dormer extension should be sympathetically constructed and designed to compliment the existing dwelling and to give a sense of balance and proportion:



The proposed dormer is poor design by virtue of proposed materials (profiled metal), lack of subservience, lack of set back, shape and size. This results in an incongruous appearance that overwhelms the roofspace, interrupts the eaves at the rear of the property and would contribute to the site having an overdeveloped appearance. As shown by the proposed elevations below, the dormer and misaligned window gives the appearance of a **three storey flat roof extension to the rear and is not appropriate or sympathetic to the existing dwelling:**



Overall, the development is unlikely to be seen from any public vantage point and will not impact on the street scene. However, the wraparound extension is excessive in height, depth and gives a disproportionate and bulky appearance that is not subservient to the existing dwelling and the dormer is inappropriate in terms of its scale, use of materials, interruption of the eaves and overall appearance. Therefore, the development is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2021).

Amenity of Future Occupiers

The proposed room sizes comply and exceed Gravesham's SPG 2 - Residential layout guidelines (RLG) (2020). In addition, the RLG (2020) sets out the minimum garden area and depth requirements post development. For this property, the garden area should be 100.00sqm and depth should be 10.00m. The proposed block plans show the garden depth would be approximately 33.66m and area would be approximately 203.09sqm, and therefore would comply with the guidance. Therefore, the development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Neighbouring Amenity

As aforementioned in this report, a neighbour has raised concerns that the length and height of the

proposed extension, along with its positioning will severely restrict light to the kitchen. The size of the proposed extension has been addressed in the Design, Character and Appearance section of the report above. Light will be assessed below.

In terms of privacy, there are no new windows and doors proposed in the north elevation facing number 122. The extension would introduce a new door and windows in the south elevation facing number 126, however these will face the 1.80m boundary treatment which would provide a screen between the properties. There is therefore not considered to be any detrimental effect on neighbouring privacy.

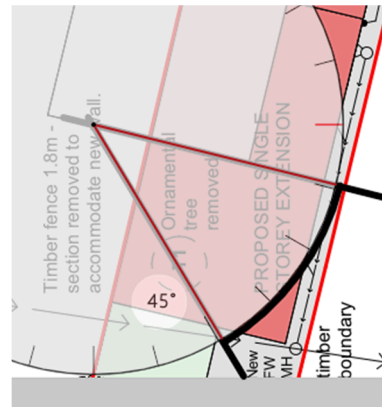
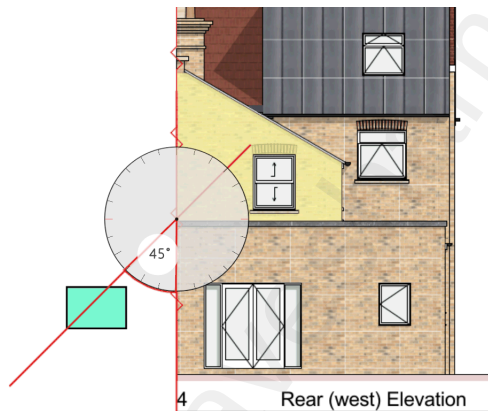
As per the Design SPG (2021):

- Depending upon the orientation and position of neighbouring windows and private amenity areas, problems of overshadowing can occur from an extension. This is particularly so if the neighbouring property is to the north of the proposed extension.
- In particular, care should be given when proposing extensions on the boundary with neighbouring properties that are single-storey with a long projection.
- When considering overshadowing the Council will have regard to the 45 / 25 degree rule.

The plans show the extension would abut the neighbouring boundary which would involve removing part of the existing boundary treatment. It would extend from the rear wall of the existing property by 6.03m and it will be 3.76m high. This is not considered to cause a detrimental loss of light to number 126 as it is located south of the site, and there will be a gap between the properties that would be maintained, post development. However, it is considered that it could cause a loss of light to the adjoining neighbouring property at number 122, which lies north of the development.

The application requires assessment using the 45 degree rule, by virtue of the height and depth of the extension. As shown by the measurements below, the plans indicate there would be an unacceptable loss of light to the neighbouring property as a result of the development.

45 Degree Rule Calculations



Therefore, the height, depth and orientation of the development along with the path of the sun indicates that there would be a detrimental loss of light and overshadowing to the neighbouring property. In addition, the extension could also contribute to a sense of enclosure and loss of outlook by virtue of its domineering appearance, height and bulk on the boundary.

As such, the proposal represents an unneighbourly form of development that is considered to fail to safeguard the amenity of neighbouring properties contrary to Policy CS19 (LPCS) and Section 12 (NPPF).

Highways and Parking

The plans describe the existing garage as a 'disused garage/store (overgrown)'. As per the Highways Officer's comments, the front garden appears to have the capacity to accommodate one vehicle. If the garage was brought back into use, it could accommodate another, and the Highways Officer states this could be demonstrated on a plan by way of condition if the application were to be looked on favourably.

The plans currently show the garage to be disused and the application form indicates a proposed new patio area. It is unclear whether this would prohibit future access to the garage space and further details have not been sought as the Local Planning Authority are not minded to permit the application.

Photo taken on site showing disused garage



Notwithstanding the Highways Officers comments, one space in the front garden is considered insufficient to serve a six bedroomed property. SPG 4 - KCC Parking Standards (2006) provides maximum guidance for parking provision and for a property with 4 or more bedrooms, it is expected that three off-street parking spaces are provided. As aforementioned in this report the development hereby proposed is considered overdevelopment of the site. The Local Planning Authority consider the deficient off-street parking provision to consolidate overdevelopment through the increase in bulk and overall footprint of the dwelling, resulting in a 6 bedroom property with one functioning parking space. As such, the proposal fails to provide suitable levels of off-street parking and is contrary to SPG 4 (2006) and Policy CS11 (Transport) (LPCS).

Any Other Material Planning Considerations

Archaeology

The site lies within an area of archaeological potential. However, the proposed development would be unlikely to be impacted by this constraint.

Groundwater Protection Zone

The site is located within a Groundwater Protection Zone 3 area, however, the proposal is unlikely to pose an issue with regards to this constraint.

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The proposed single storey rear/side extension is not subservient to the existing dwelling by virtue of its size, footprint, fenestration design and appearance resulting in an incongruous addition that does not integrate well or is sympathetic to the existing property. As such the development is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2021).

The proposed dormer is large, bulky, overwhelms the roof slope, and interrupts the eaves of the property. This, along with the proposed wraparound extension, would result in overdevelopment of the site. The dormer would be an incongruous addition by virtue of inappropriate material (profiled metal) and lack of set back which results in the property having a three storey appearance from the rear. As such, the development is in contrary to Gravesham's Design Guidance SPD (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2021).

Moreover, the proposal increases the number of bedrooms whilst indicating only one viable parking space, which is considerably below recommendations within SPG 4 - KCC Parking Standards (2006) and represents overdevelopment of the site contrary to Policies CS11 (Transport) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).

Lastly, the proposed development fails to safeguard the amenity of a neighbouring property by virtue of the depth and positioning of the extension which would cause a sense of enclosure, loss of outlook and detrimental loss of light. Therefore, the proposal is contrary to Policy CS19 (LPCS) and Section 12 (NPPF).

As such, it is recommended that the application is refused.

Recommendation

Refusal

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

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	3.10.22	Dated:	3rd October 2022