



Delegated Report

Householder Planning Application

Planning Application No: 20241044

Location: 59 St James Avenue Gravesend Kent DA11 0HB

Description: Proposed hipped gable roof with dormer window to rear and 3 roof lights to front. Erection of a single storey rear extension.

Applicant: Mr Singh

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form Dated 14/11/2024;
Supplementary Information – Heritage Statement;
Drawing Number D01 (Ground Floor Plan – Existing);
Drawing Number D02 (Ground Floor and Loft Plan – Proposed);
Drawing Number D03 (Roof Plan – Existing and Proposed);
Drawing Number D04 (Elevations – Existing);
Drawing Number D05 (Elevations – Proposed);
Drawing Number D06 (Section – Proposed);
Drawing Number D07 (Block Plan – Existing and Proposed); and
Drawing Number D08 (OS Plan).

Relevant Planning History

Reference	Description	Decision	Decision Date
20240633	Application for a Lawful Development Certificate in respect of the conversion of loft space to form habitable room with hipped gable roof and 3 roof lights.	Certificate Granted	18.09.2024
20230808	Alterations to roof including hip to gable enlargement on both sides and two dormers and rooflight in front roof slope, first floor rear extension and single storey rear extension.	Refused	16.02.2024

Development Plan

Gravesham Local Plan Core Strategy (2014)

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

Gravesham Local Plan: First Review (1994)

- TC3 Development Affecting Conservation Areas
- TC7 Other Archaeological Sites

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places
- Section 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)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- 19th Century Suburban Conservation Areas Management Plan;
- Overcliffe Conservation Area Character Appraisal (2009) and;
- Design for Gravesham – Design Code (2024).

Consultations, Publicity and Representations

Consultees

KCC Highways and Transportation

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

GBC Environmental Protection

There is no objection to this application. As the property falls within the buffer of a former landfill site, a watching brief condition for contaminated land is advised.

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 LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Code of Practice on Construction and Demolition
Please apply as appropriate

Neighbouring properties

6 surrounding properties were consulted, a site notice was displayed on 10th December 2024 and an advert in the local press on 12th December 2024.

No responses were received and the consultation period ended on 3rd January 2025.

Preliminary Matters

Previous application 2023080 for 'Alterations to roof including hip to gable enlargement on both sides and two dormers and rooflight in front roof slope, first floor rear extension and single storey rear extension.' was refused for the following reasons:

The proposed hip to gable roof extensions on both sides of the hipped roof, the first floor rear extension by virtue of scale, poor design, bulk and massing and the proposed two front dormers by virtue of siting, scale and design would cause significant harm to the character and appearance of the host dwelling and the streetscene.

The proposal would be an overdevelopment of the site by virtue of a significantly undersized private amenity space which would be harmful to the amenity of existing and future occupiers of the dwelling.

The proposal by virtue of siting, scale, bulk, massing, design and proximity to neighbouring dwellings would cause overshadowing, overlooking, be overbearing and would generally be an unneighbourly form of development which would be harmful to the amenity and privacy of neighbouring properties. As such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 135 (f) of the National Planning Policy Framework (2023).

A pre-application was also submitted, prior to the current application. It was considered that the pre-application proposal was:

The proposal is only slightly altered from previous application ref. 20230808 and the changes made have not addressed the three reasons for refusal of that application. Although the proposal as before would be acceptable in respect of parking and highway safety, archaeology and land contamination, it would remain unacceptable in respect of design, character and appearance, occupier amenity and neighbouring amenity. The proposal is therefore contrary to Policy CS19 (LPCS) and section 12 and paragraph 135(f) of the NPPF (2023) and it has not addressed any of the three grounds of refusal on application ref. 20230808.

Advice was given with regards to the detrimental visual impact of a hip to gable roof extension, substandard amenity area and detrimental impact on neighbouring amenity. Advice given within the pre-application has not been actioned within the current application.

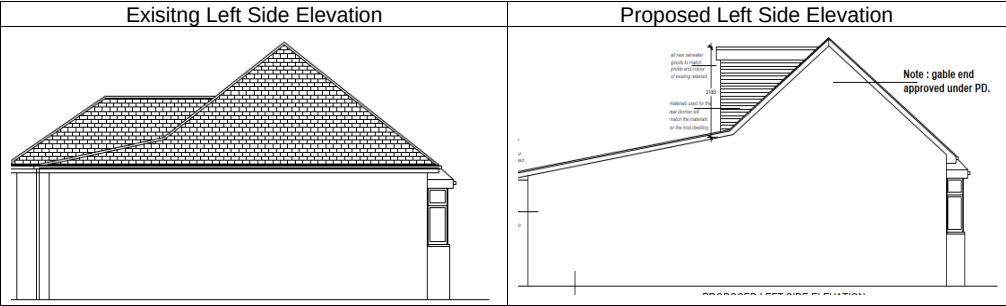
Officer's Analysis

Design, Character and Appearance

59 St James Avenue is a detached bungalow located on the Eastern side of the highway. The site is located in an Area of Archaeological Potential and in the Asda site historic landfill site buffer zone and located adjacent to the Overcliffe Conservation Area boundary. There is currently no off-road vehicular parking at the property. The application site is the middle of a row of three bungalows. There are some two storey dwellings in the road further South.

Commented [RH1]: What you need to mention/consider is if the proposal has any adverse impact on adjacent CA

Commented [NG2R1]: Added



The proposed dormer would measure 2m in height, 7.4m in width and project 2.92m from the rear roof slope. It will be set in by 0.6m to both sides and set down from the ridge by 0.25m. The dormer would create space for internal alterations to provide a bedroom with en-suite. There will be windows to the rear elevation serving the bedroom and it will be constructed with materials to match the existing dwelling.

The previous application was refused as the proposed hip to gable roof extensions on both sides of the hipped roof, the first floor rear extension by virtue of scale, poor design, bulk and massing and the proposed two front dormers by virtue of siting, scale and design would cause significant harm to the character and appearance of the host dwelling and the street scene, particularly that of the adjacent, hipped roof bungalows.

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area.

Gravesham's Householder Extensions/Alterations Design Guidance (SPD) (2021) states *it is important to ensure that any extensions or alterations to a home are well designed, well-built and sympathetic to their surroundings. By doing so we can ensure that there are no adverse effects on the original house, immediate neighbours, the local view of the street, as well as the character and appearance of the local area.*

Whilst the current application has addressed the issues raised with the first floor rear extension and has removed the proposed two front dormers, no changes have been made to the proposed hip to gable roof extensions.

Therefore, it is still considered that, by way of the existing large hipped roof with high ridge, the hip to gable alterations would destroy the existing roof form of the dwelling, add significant bulk and massing to the host dwelling and would be detrimental to both the host dwelling.

Furthermore, the application site lies adjacent to and is highly visible from the the Overcliffe Conservation area.

View of 59 St James Avenue from Overcliffe 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.

By virtue of the detrimental impact of the hip to gable roof extensions, it is considered that the application would have a detrimental impact on the adjacent conservation area and as such would be contrary to Policy CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC3 of the Gravesham Local Plan First Review November 1994.

As such, the application is not considered to have overcome all previous grounds for refusal. The hip to gable roof extensions would not respect the character or appearance of the host dwelling at all or the streetscene given that the bungalow is situated within a row of similar hipped roof bungalows and would be completely out of keeping with their character also.

The single storey rear extension is modest in size and has a pitched roof which is respectful to the character of the existing host dwelling.

Overall, the proposed hip to gable roof extensions on both sides of the hipped roof, by virtue of scale, bulk and massing are considered to cause significant harm to the character and appearance of the host dwelling and the streetscene and as such is contrary to Policy CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014), Saved Policy TC3 of the Gravesham Local Plan First Review November 1994 and the Householder Extensions/Alterations Design Guide SPD (2023).

Amenity of Future Occupiers

Gravesham's Residential Layout Guidelines state the following minimum standards for properties in respect of garden area and garden depth:

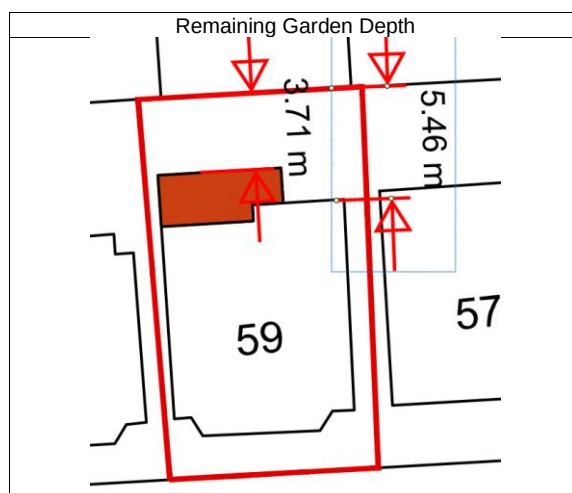
Accommodation with :	Minimum garden area (sq. metres)	Minimum depth from rear wall of house (metres)
1-2 bedrooms	37.2	7.6
3 bedrooms	60.0	10.0
4 or more bedrooms	100.0	10.0

The previous application was refused as the proposal would have increased the dwelling from a two to a four bedroom dwelling and the garden area and rear garden depth would have been significantly undersized due to the requirement for a greater garden area and depth for a four bedroom dwelling and the proposed erection of a single storey rear extension.

The property currently has two bedrooms with a garden area of approx. 60.59 sq. m and a rear garden depth of between 5.46m – 6.13m. The existing garden area therefore exceeds the minimum area but the rear garden depth is under the minimum guidelines.

The current application has removed the inclusion of an additional two bedrooms and would remain a two bedroom dwelling.

Post development, the property would have a remaining amenity area of 44.81sq. m with a rear garden depth of between 3.71m and 5.46m.



Although the garden area would exceed the minimum garden area for a 2 bedroom dwelling, the garden depth would not. The proposal would make the rear garden depth which is already undersized even more so – it would be undersized by 2.14m – 3.89m which is not an insignificant amount.

As such the current application is not considered to have overcome the previous reasons for refusal.

The proposal would therefore still be an overdevelopment of the site by virtue of a significantly undersized private amenity space in respect of rear garden depth which would be harmful to the amenity of existing and future occupiers of the dwelling and is therefore contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Neighbouring Amenity

The previous application was refused as it was considered that the introduction of first floor windows would cause overlooking or the perception of overlooking to neighbouring properties known as 57 and 61 St James Avenue and the hip to gable roof extension would have an overbearing impact on occupiers of no. 61.

Whilst the current application has set the first floor windows further back to in the rear roof slope and therefore further away from neighbouring gardens, the application is still introducing first floor habitable windows where they are currently none. Whilst there is a two storey property adjacent to the South of no.57, there are currently no first floor windows adjacent to no 61.

Furthermore, no changes have been proposed for roof alterations and as such the proposed hip to gable on the northern side would still have an overbearing impact on occupiers of no. 61 when using their private rear garden area and would generally be an unneighbourly extension.

As such the application is not considered to have overcome the previous refusal issue of overlooking and overbearing outlook to neighbouring property known as 61 St James Avenue.

As such, the proposal by virtue of bulk and massing and proximity to neighbouring dwellings would cause overlooking, be overbearing and would generally be an unneighbourly form of development which would be harmful to the amenity and privacy of neighbouring properties and is contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Archaeology

The site lies within an Area of Archaeological Potential however, it is considered unlikely that these proposals, immediately adjacent to the existing dwelling, would have a significant below-ground archaeological impact. As such it is considered the proposal would be compliant with saved Policy TC7 (LPFR).

Land Contamination

The site lies in the Asda site historic landfill site buffer zone; GBC Environmental Protection advise that a watching brief condition would be required. Subject to this it is considered occupiers of the dwelling would be protected from land contamination.

Conclusion

The application is not considered to have overcome the reasons for the previous proposal.

The proposed hip to gable roof extensions, by virtue of scale, bulk and massing are still considered to cause significant harm to the character and appearance of the host dwelling and the streetscene and as such is contrary to Policy CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014), Saved Policy TC3 of the Gravesham Local Plan First Review November 1994 and the Householder Extensions/Alterations Design Guide SPD (2023).

The proposal would still result in an overdevelopment of the site by virtue of a significantly undersized private amenity space in respect of rear garden depth which would be harmful to the amenity of existing and future occupiers of the dwelling and is therefore contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

The proposal by virtue of bulk and massing and proximity to neighbouring dwellings would still result in overlooking, be overbearing and would generally be an unneighbourly form of development which would be harmful to the amenity and privacy of neighbouring properties and is contrary to Policy CS19 (Development

and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Recommendation

Refusal

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

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	20th January 2025	Dated:	21st January 2024