



Delegated Report

Planning Application

Application no: 20211097

Location: 16 Farmcroft Gravesend Kent DA11 7LT

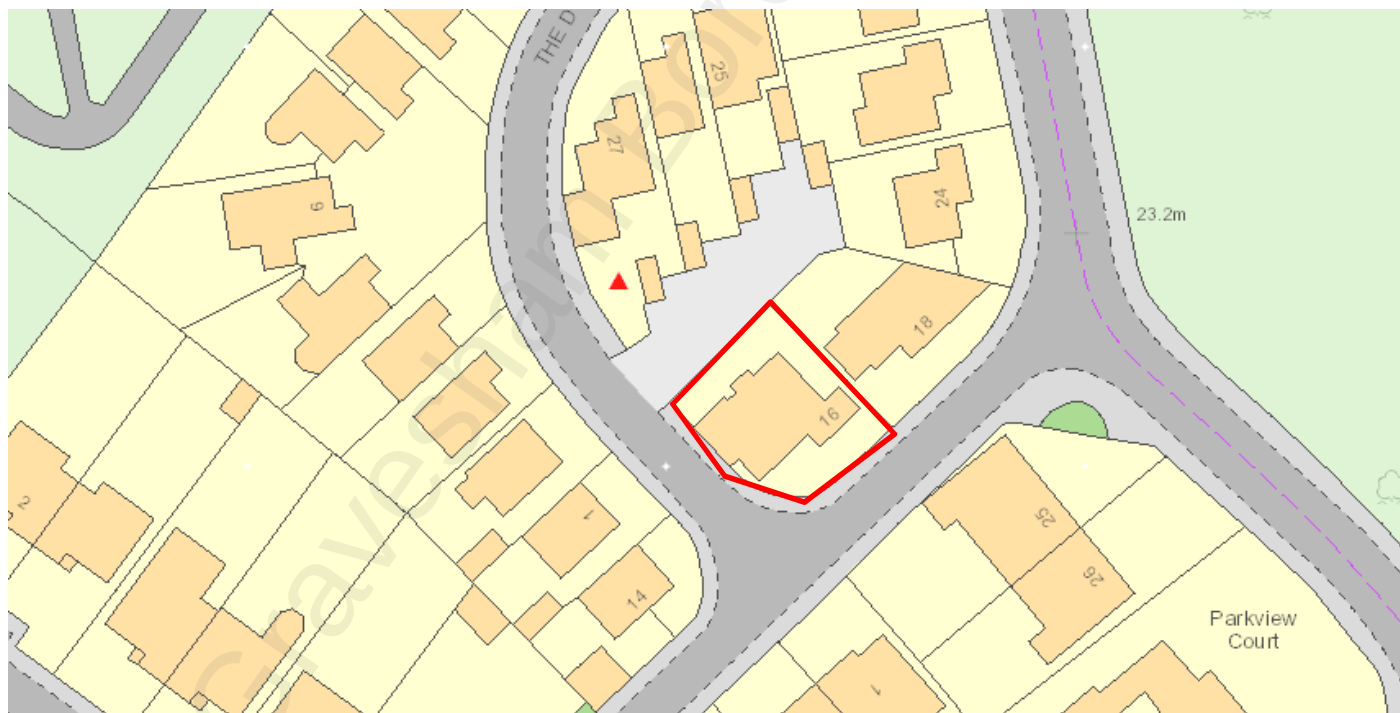
Description: Demolition of existing conservatory and erection of a two storey rear extension.

Applicant: Mr Singh

Site Visit Date: 13 October 2021

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.



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

An integral garage 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 bedrooms at first floor level.	Permission	23.02.1999

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

Proposal

The proposal is described as being for the demolition of existing conservatory and erection of a two storey rear extension.

Plans and Documents, as revised

Application Form;
Revised covering letter received 12 October 2021;

Drawing No 001 Rev A: Site Location Plan, Existing Block Plan, Proposed Block Plan;
Drawing No 002 Rev A: Existing Floor Plans;
Drawing No 003 Rev B: Proposed Floor Plans and Section A-A;
Drawing No 004 Rev A: Existing Elevations;
Drawing No 005 Rev B: Proposed Elevations;

Details of the Development

The proposed extension will provide a dining room (14.96m²) on the ground floor and what is described as a home library (11.71m²) on the first floor, albeit potential bedroom. The proposed extension is 5.2m wide and 2.85m deep but there is an additional ground floor projection of 3.0m wide and 1.0m deep at single storey with a flat roof and indicated as being a green roof.

The two storey element has a gable roof matching the main rear roof and with a ridge height of 5.6m thus below the main roof which has a ridge height of 6.8m.

A small roof light in the rear roof slope to the side extension has been added following amendments to the scheme in order to light a bathroom at the rear whose fenestration and ventilation would be obscured by the proposed first floor library room.

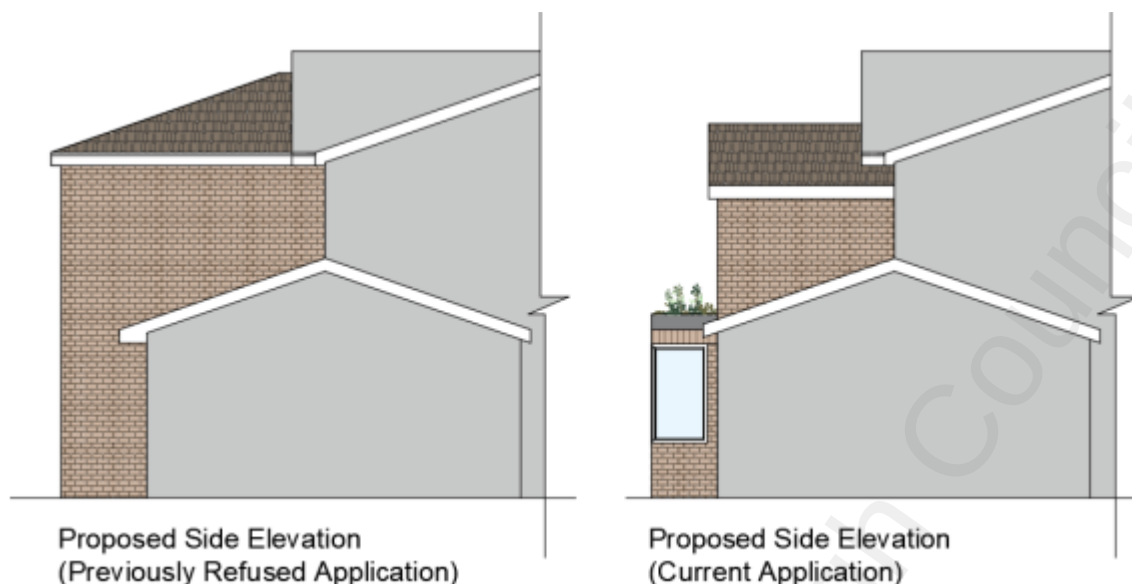
The revised covering letter states:

The proposal is for the replacement of existing conservatory and erection of first floor rear extension to provide space for a home library to be used by applicant's disabled wife who enjoys reading.

The following concerns raised in the above-mentioned refused application has been addressed;

Character and Appearance

As shown in the below diagram the overall size of the extension has been reduced significantly to make it integrate well with the existing house, so that it does not appear bulky and incongruous addition to the house.



In the previous application, the proposed hipped roof design of the extension was considered awkward when read against the rear gable of the host dwelling. Therefore, in the current application the extension's roof has been changed to gable end with a lower eaves height to make it appear in keeping with the house and the street scene.



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.

Amenity of Occupiers

In the current proposal, rear garden area has not been used and the extension would be built over the existing conservatory.

The property would therefore provide acceptable living conditions for existing and future occupiers of the dwelling. As such, in respect of the amenity of occupiers the proposal complies with Policy CS19 of the Local Plan Core Strategy.

We have considered the impacts on the surrounding properties and observed that the proposal has no harmful impact on the neighbouring buildings.

Development Plan and other Relevant Planning Policies and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

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)*

There are a number of other planning policy documents which are of some relevance to the consideration of planning applications and are material considerations, including national planning advice and guidance in the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), and supplementary planning guidance, and, where they exist, neighbourhood plans. There are currently no adopted neighbourhood plans.

Previous decisions on planning applications and appeals relating to the site and relevant case law etc. are also capable of being material considerations.

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

Policy CS01 (Sustainable Development) sets out that support will be given to proposals that accord with the development plan. A positive approach to new development will be taken that reflects the presumption in favour of sustainable development set out in the NPPF and the Local Plan Core Strategy

Policy CS02 (Scale and Distribution of Development) sets out the Council's development strategy which prioritises focussing new development in the urban area and rural settlements inset from the Green Belt.

Policy CS11 (Transport) sets out that new developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel. Sufficient parking in new development will be provided in accordance with adopted parking standards reflecting the availability of alternative means of transport and accessibility to services and facilities.

Policy CS12 (Green Infrastructure) requires that there should be no net loss of biodiversity in the Borough and gives protection amongst other things to internationally designated sites. It sets out that the overall landscape character and valued landscapes within the borough will be conserved and enhanced, with greatest weight being accorded the Kent Downs AONB. In other areas, the Gravesham Landscape

Character Assessment and any relevant Cluster Study should be taken into account.

Policy CS18 (Climate Change) seeks to ensure that Water Framework Directive objectives are secured and that the impact of development on waste water drainage systems is minimised. Surface water run-off from all new development should, as a minimum, have no greater adverse impact than the existing use. It requires the use of Sustainable Drainage Systems where technically and financially feasible. It requires the water efficiency measures to be installed to achieve the equivalent of level 3/4 of the Code for Sustainable Homes (105 litres per person per day)¹

Policy CS19 (Development and Design Principles) sets out detailed criteria against which the acceptability or otherwise of proposed development will be evaluated. In particular 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 and natural environment and 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 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.

Gravesham Local Plan First Review 1994

The Gravesham Local Plan First Review was originally adopted in November 1994.

A substantial number of policies of the Gravesham Local Plan First Review were saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 as transitional arrangements pending adoption of the Core Strategy.

Saved policies contained in the Gravesham Local Plan First Review should still be accorded significant weight, albeit that the weight accorded should be greater where policies are consistent with the National Planning Policy Framework (NPPF, paragraph 215).

Those Local Plan First Review policies that remain in force are listed in Appendix 1 of the Local Plan Core Strategy. The remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document.

The following remaining saved policies are relevant to the consideration of this application:

Policy T1: Impact of Development on the Highway Network

Policy T5: New Accesses onto Highway Network

Policy P3: Vehicle Parking Standards

Saved Policy T1 requires that all proposed developments are adequately served by the highway network identified on the Proposals Map.

Saved Policy T5 requires that the formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities.

¹ Now equivalent to 110 litres per person per day as required by National Standard – see GBC Housing Standards Policy Statement (2015) at http://www.gravesham.gov.uk/__data/assets/pdf_file/0016/201625/Housing-Standards-Policy-Statement.pdf

Saved Policy P3 requires development to make provision for vehicle parking, in accordance with the Kent County Council Vehicle Parking Standards, as interpreted by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site.

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 5: Electric Vehicle Charging Points;
Proposed Policy RES 2: Residential Space Standards;
Proposed Policy AM 4: Sunlight and Daylight within New Development;

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) July 2021 is a material consideration.

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11) which means approving development proposals that accord with the development plan without delay and where there are no relevant development plan policies or where the policies are out of date planning permission should be granted unless policies of the Framework provide a clear reason for refusing the development such as where land is designated as Green Belt or any adverse impacts would so significantly and demonstrably outweigh the benefits or specific policies in the NPPF taken as a whole.

The NPPF includes (in paragraph 8) three overarching objectives to achieving sustainable development:

- An economic objective;
- A social objective; and
- An environmental objective.

The following paragraphs 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;

Section 12, Paragraphs 126 - 136: Achieving well-designed places

Paragraph 126 advises 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

Paragraph 134 advises 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.

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).

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:

- Adopted Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006);
- GBC Residential layout guidelines including Housing Standards Policy Statement October 2015, (SPG2) Adopted February 1996 - amended June 2020;

Consultations, Publicity and Representations

Consultations

GBC Highways Development Management Officer

There are no highway implications with this proposal, the number of bedrooms and existing car parking provision remain unaltered.

GBC Regulatory Services

No comments received

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 08 October - 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 removal of the existing conservatory at the rear and erection of a two storey rear 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 1st 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 need 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.

The Issues

The principal issues in the consideration of this further application, and taking into account whether the applicant has fully addressed the reasons why the previous proposal was rejected on appeal, are:

- Design, Character and Appearance
- Amenity of Future Occupiers
- Amenity of Neighbouring Properties
- Parking and Highway Safety
- Any other material planning considerations

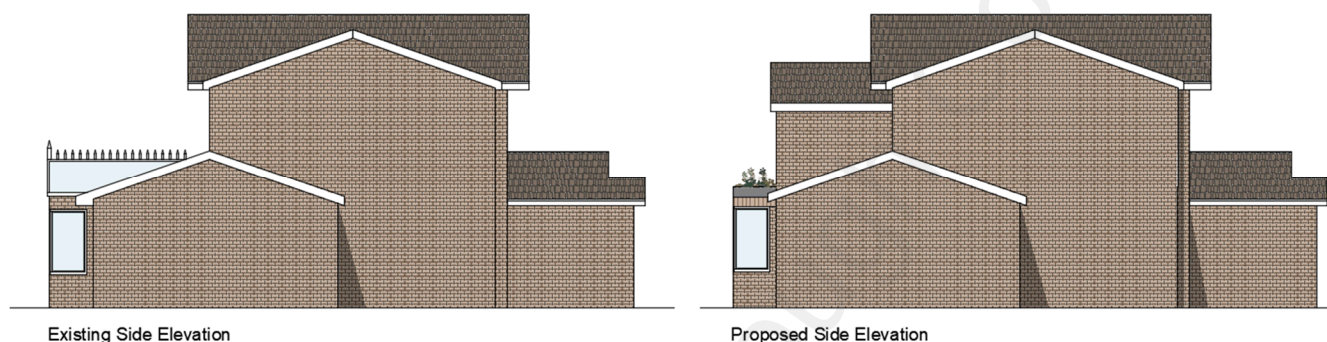
Design, Character and Appearance

Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Gravesham Local Plan Core Strategy 2014 reflects these aims and requires that new development is well designed, and respects the character and appearance of the surrounding area.

As indicated above the property has been significantly extended on all sides and similar rear two storey extensions have been refused and more recently (May 2021) dismissed on appeal with the Planning Inspector agreeing that the proposed extension would appear as a bulky, incongruous addition to the dwelling that would fail to integrate satisfactorily with the host property and would result in an overdevelopment of the site detrimental to the character and appearance of the host dwelling.

In comparison to the more recent refused scheme rejected on appeal there have been some notable changes, namely:

- The two storey element has been reduced in depth by a further one metre from 3.8m to 2.8m;
- The roof shape has 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 has been reduced from 6.2m to the ridge to a ridge height of 5.6m;
- There is still a further projection beyond the two storey element but this is only single storey and is only 3m wide by 1m deep and is the same as existing, effectively only being the removal of the glass roof (of the conservatory) with a flat roof as shown below



Following further negotiations with the applicant's agent some changes have been secured to the rear fenestration at first floor level. There were officer concerns at the roof of the flat roofed single storey projection, shown as a green roof, having the potential to be used as a balcony and the fenestration to the first floor was unnecessarily large and ill proportioned. This has been amended as below.



Rear Elevation Proposed - **Original Submission** Rear Elevation Proposed - **Revised Submission**

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.

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy 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. This means that the Borough Council now interpret Tables 1 and 3 of the Residential Layout Guidelines July 1996 in accordance with the new standards.

The development provides acceptable internal living standards according with national space standards.

In respect of the impact of the development on the private garden area there would be no material change. It was noted in the previous planning application that the garden area was somewhat limited at present with a rear depth of 5.36m and a garden area of 88.3m².

SPG2 states that for a dwelling with four or more bedrooms, the property should have a minimum rear garden depth of 10m and a minimum rear garden area of 100m². These minimum standards are not met currently.

The Planning Inspector in determining the recent planning appeal did not consider that the overall amount of outdoor space available for the existing and future occupiers would be reduced by the appeal proposal to such an extent that the living conditions of the occupiers of the property would be significantly compromised.

Therefore in respect of the amenity of occupiers the proposal conforms to Policy CS19 of the Local Plan Core Strategy.

Neighbouring Amenity

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 130 of the NPPF (2021) requires development to have a high standard of amenity for existing users (In this case surrounding properties).

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 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.

The changes to the fenestration have reduced the risk of the flat roof being used as a balcony but it is considered appropriate to safeguard this by a planning condition.

In respect of neighbour amenity the proposal is considered compliant with Policy CS19 of the Local Plan Core Strategy.

Parking and Highways

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).

SPG4 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 considered compliant with saved Policy P3 of the Local Plan Core Strategy.

Any Other Material Planning Considerations

None

Conclusions and Balancing Exercise

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 with the changes now offered since a similar proposal was refused and rejected on appeal and with the further design amendments that have been sought through negotiation since the application was first submitted, 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 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 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:

Application Form;

Revised covering letter received 12 October 2021;

Drawing No 001 Rev A: Site Location Plan, Existing Block Plan, Proposed Block Plan;

Drawing No 002 Rev A: Existing Floor Plans;

Drawing No 003 Rev B: Proposed Floor Plans and Section A-A;

Drawing No 004 Rev A: Existing Elevations;

Drawing No 005 Rev B: Proposed Elevations;

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 roof area of the single storey rear extension hereby permitted shall not be used as a balcony, roof garden (otherwise than as a green roof) or similar amenity area at any time.

Reason: In the interest of neighbouring privacy in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

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

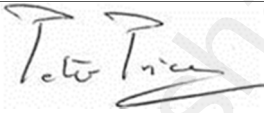
Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank 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.

Case Officer:	Mr Peter Price	Team Leader:	Faye Hobbs
Signed:		Signed:	
Dated:	13th October 2021	Dated:	13 th October 2021

File Location: F: Plan/Typing/General/Peter/Delegated Reports/Uniform - 20211097 - Delegated Report - 16 Farmcroft Gravesend Kent - Demolition of existing conservatory and erection of a two-storey rear extension.