

Delegated Report

Application No:	20230694
Location:	26 St Georges Crescent Gravesend Kent DA12 4AR
Description:	Application for a non-material amendment to planning permission reference number 20190737 to allow use of garage as out building storage and provision of replacement car park in front garden.
Applicant:	Mr Saab Singh

Proposal

Application for non-material amendment to planning permission reference number 20190737 relating to allow use of garage as out building storage and provision of replacement car park in front garden.

The application consists of the following:

- Application Form
- Drawing No: FV-2020-1 (Pre Existing Site Plan)
- Drawing No: FV-2020-2 (Landscape Plan)
- Drawing No: FV-2023-03 (Proposed Landscape Plan))
- Drawing No: FV-2023-04 (Existing and Proposed Site Plan)
- Drawing No: FV-2023-05 (Plans as built)

Relevant Planning History

Reference	Description	Outcome	Decision Date
20190737	Erection of a new 3 bedroom dwelling with garage, parking spaces and associated work.	Permitted	25.09.2019

Development plan

As an application under S.96A of the Town and Country Planning Act the considerations turn to whether the proposals are non-material. The application is not assessed under the development plan.

Officer's Analysis

There is no statutory definition of 'non-material'. This is because it is so dependent on the context of the overall scheme - what may be non-material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application under s.96A.

The proposal is to change the use of the garages to storage and outbuilding use, the garages serve both the original dwelling and new dwelling. The proposal also seeks to create a new parking space to the front of No.26A St Georges Crescent. The original permission (ref. 20190737) imposed the following condition:

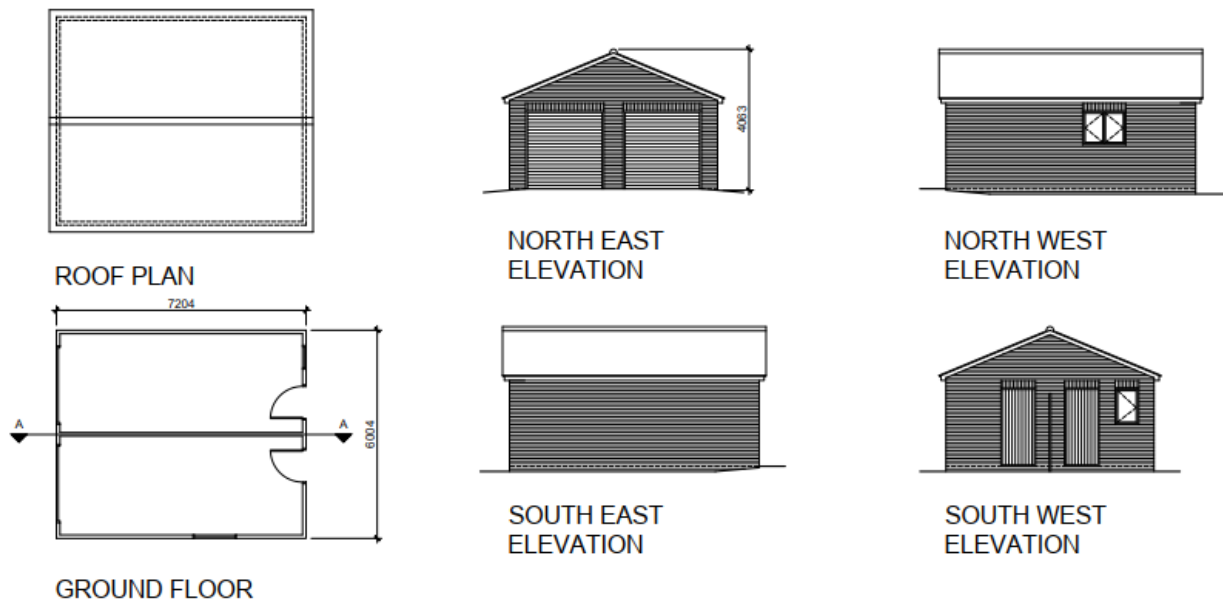
5. *Prior to the first occupation of the new dwelling hereby permitted the garages for both the existing dwelling at 26 St Georges Crescent and the new dwelling, along with the other vehicle parking areas shown on the approved drawing, shall be formed, surfaced, drained and marked out; thereafter the garaging and parking spaces shall be used for such purposes at all times, and notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no development shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the reserved garages and vehicle parking areas.*

Reason *To ensure sufficient off street car parking provision is available to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan: Core Strategy (September 2014) and saved Policy P3 of Gravesham Local Plan First Review (1994).*

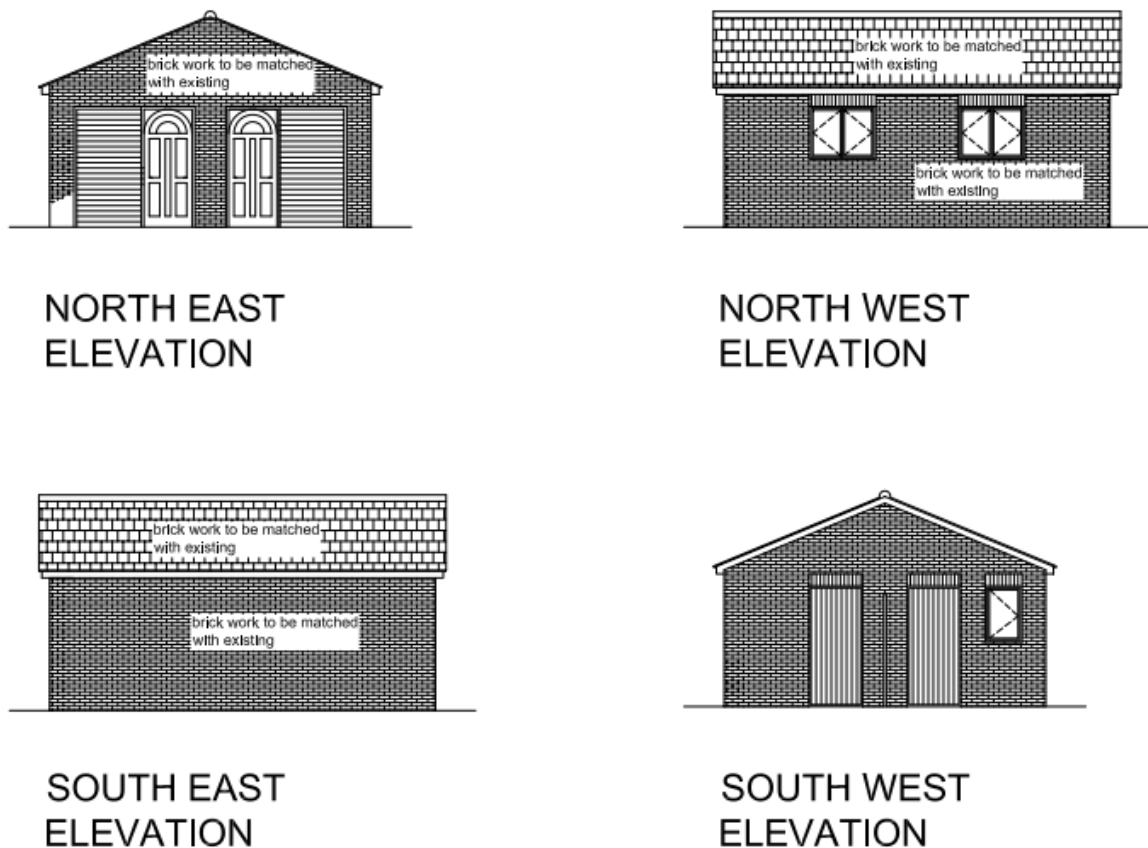
13. *No development under the provisions of Article 3 of and Class F Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any provision equivalent to that Class in any Statutory Instrument replacing, revoking or re-enacting that Order with or without modification) for any new hardstanding or the enlargement or any existing hardstanding, shall be constructed without the specific grant of planning permission given by the Local Planning Authority.*

Reason *To ensure that the existing hardstanding areas are not enlarged to the detriment of the character of the area, or contrary to highway safety in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and Saved Policy P3 of the Gravesham Local Plan First Review 1994.*

The conditions were attached to ensure there was adequate parking provision to serve the needs of the development whilst maintaining soft landscaping to the front of the new dwelling to soften its appearance on the wider streetscene. The permitted plans under reference 20190737 provided the below garage elevations:

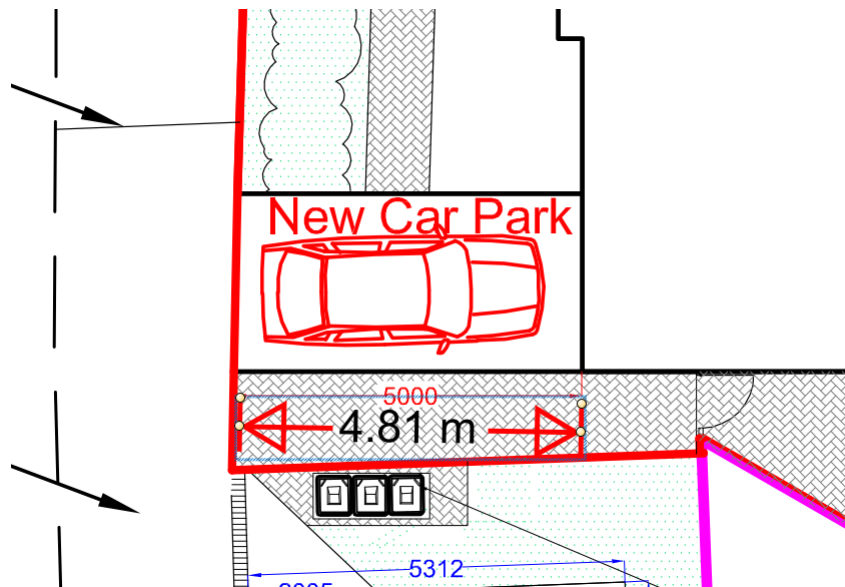


The current submission shows the garage elevations as:



The application demonstrates that the permitted plans under 20190737 were not followed and so the proposed development was not built in accordance with the approved plans. Furthermore the revised proposal shows a parking space in the front garden area of 26a St Georges Crescent as

having a depth of 5m, however upon measurement it is clear the depth of the driveway falls below this.



The proposed changes are not considered to fall within the scope of S.96A of the Town and Country Planning Act as the proposed changes are likely to result in impacts to the highway whilst changing the appearance of the development. Furthermore the changes are in conflict with the approved conditions for planning reference 20190737 which require the development to be built in accordance with the approved plans and the garage area to be maintained as vehicle parking areas.

Recommendation

Refusal of Non-Material Amendment

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	25 th July 2023	Dated:	25 th July 2023