

Delegated Report

Householder Planning Application

Planning Application No: 20240650

Location: 41 Essex Road Gravesend Kent DA11 0SL

Description: Demolition of existing garage; erection of single storey rear extension; erection of dormer in rear roof slope incorporating two Juliet balconies; and erection of detached store in rear garden.

Applicant: Mr Jagmohan Dobe

Site Visit Date: 04 September 2024

Submitted Documents/Plans

Householder Application for Planning Permission form;
Drawing no. 01 Existing layouts and elevations;
Drawing no. 02A Proposed layouts and elevations;
Drawing no. 03 Site location plan; and
Drawing no. 04A Existing and proposed block plans.

Superseded Documents/Plans

~~Drawing no. 02 Proposed layouts and elevations; and
Drawing no. 04 Existing and proposed block plans.~~

Procedural Issues

Following a request for clarification from the case officer, the applicant amended the proposal to remove a proposed frontage parking space. As a result, the description of the development was amended from 'Demolition of existing garage; erection of single storey rear extension; erection of dormer in rear roof slope incorporating two Juliet balconies; erection of detached store in rear garden; and formation of vehicular crossover and hardstanding.' to that shown at the top of this report. Because this amendment reduced the scale of the development, no additional publicity or consultation was undertaken.

Relevant Planning History

None.

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
- T1 – Impact of Development on Highway Network
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving well-designed and beautiful places

Supplementary Planning Guidance

- 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)

Other Relevant Guidance

- Kent County Council Vehicle Crossing: - Guidance and Self-Assessment (2018)
- Driveway Dropped Kerb Guidance
- Front Driveway Guidance

Consultations, Publicity and Representations

GBC Environmental Protection Team (Regulatory Services)

No objection but the following condition and informatives are recommended.

Watching Brief: The site falls within the buffer zone of a former landfill site.

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 to minimise the impact of the construction to the adjacent dwellings.

Smoke Control Informative: The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid

fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Drainage/sewerage informative: The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

Southern Gas Networks

No response received.

Neighbouring properties

The application was publicised by a site notice and to five neighbouring properties by letter. Two representations have been received (from the same resident) and are summarised as follows;

- Adverse overlooking, overshadowing and overbearing impacts to nos. 39 and 43 Essex Road.
- Adverse effect on right to light for ground floor toilet and kitchen at no. 43 Essex Road.
- The rear extension and dormers may contravene permitted development.
- Loss of mature hedge which provides a valuable habitat.
- The existing driveway will be extended and could accommodate 4-5 cars.
- The proposed frontage parking area is unnecessary and would restrict on-road parking for permit holders.
- Velux windows would be less intrusive than the proposed dormer.

Officer's Analysis

Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

In relation to rear roof extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that proposals should be set away from the gables, hips, eaves and ridge of a property; be lower than the existing ridge line and retain the original ridge line treatment; that dormers should not overwhelm the roof slope within which they are placed; and that windows should reflect the position, design and character of existing windows on the host building.

In relation to single storey rear extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that they should not dominate the original property in terms of depth (extensions to extensions will not generally be supported); they should not rise above the window cill level of any first floor windows; they should not be excessive in height, especially where they are greater than three metres in depth; or excessive in width (no greater than the original building). Flats roofs can be acceptable where they are not widely visible and pitched roof designs should reflect the main roof.

The proposed dormer would be subservient to the existing roof and the external facing materials would match with the existing roof tiles. The proposed windows (Juliet balconies) would not be in keeping with the existing fenestration of the building but would not look significantly out of place. It is noted that the proposed dormer would be within permitted development limits.

The proposed rear extension would be large but subservient to the existing building. The proposed windows and external facing materials would match with existing.

The proposed rear outbuilding would be of a design and materials that match with the existing building and its size would be subordinate to the dwelling.

Overall, the proposed development would be appropriate in terms of design and would not have an adverse impact on the character or appearance of existing building or the surrounding area. Therefore, the proposal would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and the Householder Extensions/Alterations Design Guide SPD (2021).

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants. In this regard, the Nationally Described Space Standards (NDSS) and the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

All but one of the proposed bedrooms would exceed the minimum floor area requirements for a double bedroom in the NDSS and the smallest bedroom would exceed the minimum floor area requirements for a single. The proposed garden would significantly exceed the minimum area and length requirements for a dwelling with four or more bedrooms in the RLG.

In order to prevent a loss of privacy for future occupiers, any proposed bathroom/w.c./en-suite windows should be conditioned to be permanently obscure glazed.

The proposed development would improve the living conditions for future occupiers and as such, the proposal would not be detrimental to residential amenity and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers. In this regard, the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The closest residential properties to the application site are nos. 39 and 43 Essex Road (located to the east and west respectively). No. 17 Weavers Close is located to the north. Nos. 26 to 30 Essex Road are located to the south across the roadway.

It is noted that the proposed Juliet balconies in the dormer would obliquely overlook the rear gardens of nos. 39 and 43 Essex Road. However, as existing rear windows already have overlooking impacts, the occupiers of these properties cannot not have an expectation of total privacy in their gardens. Dormer windows are a common feature in the residential environment and in many instances (including this case) are development that does not require planning permission.

The ground floor rear elevation of no. 43 Essex Road is set back some three metres beyond the rear wall of the application property. There are two windows in the side elevation (one in an existing extension and one in the main house) that face the proposed extension. There would be some loss of light to these windows. However, as they are windows to non-habitable rooms (a kitchen and w.c.), then any adverse overshadowing impact would not be so significant as to warrant a refusal of planning permission. It is noted that the closest ground floor rear window at no. 43 would be set away from the site boundary and the height of the proposed extension would not be excessive. Therefore, any adverse overshadowing impacts would not be significant.

The overall size and bulk of the proposal would add to the impression of built development at the application site, but due to the layout of the surrounding properties, there would be no significant adverse overbearing impacts.

It is noted that local residents have raised concerns regarding adverse overlooking, overshadowing and overbearing impacts to the neighbouring dwellings. However, it is considered that due to the design of the proposed development and to the layout and orientation of the surrounding properties, there would be no significant adverse overlooking, overshadowing or overbearing impacts to the occupiers of the surrounding dwellings.

In order to prevent any future loss of privacy or adverse noise/odour impacts to neighbours, any planning permission granted should be conditioned to preclude the insertion of any windows or openings (including flues) in the side elevations of the proposed development.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Parking and Highways

Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994 require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

According to the Borough Council's adopted Vehicle Parking Standards, a four or more bedroom dwelling should have three vehicle parking spaces and according to the KCC Residential Dropped Kerb Guidance and Self-Assessment document, parking spaces located perpendicular to the roadway should be a minimum of 2.4 metres (width) by 4.8 or 6 metres (depth). Six metres depth would be required if the space is in front of an access door or garage.

The application property has six bedrooms and on-site parking for four vehicles (in a garage and on a driveway located at the side). The proposed development would result in the building increasing from six to seven bedrooms, with the loss of the garage. As the application site would retain three existing on-site parking spaces, it is considered that there would be no adverse impacts to highway safety.

Overall, it is considered that the proposal would make sufficient provision for the parking of cars within the site in accordance with the Borough Council's adopted Vehicle Parking Standards and would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994.

Any Other Material Planning Considerations

The application site is located within the buffer zone for the Nine Elms historic landfill site and the GBC Environmental Protection Team have set out the wording for a watching brief condition. Therefore, provided that this condition is attached to any planning permission granted, then there would be no adverse ground contamination impacts.

The application site is located within an area of multi-period archaeological potential, Groundwater Source Protection Zone 3 and a Site of Special Scientific Interest (SSSI) Impact Risk Zone. However, as the proposed development is within the confines of an existing residential garden and only a relatively small amount of groundworks would occur, then it is considered that there would be no adverse impacts to any sensitive habitats, groundwater or archaeology. As such, the proposal would be in line with Policies CS12, CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

The application site is located in close proximity to a gas pipeline (along the site frontage) and Southern Gas were consulted because the original proposal included works in the front garden. Southern Gas Networks have not responded to their consultation. However, as the frontage works have now been removed from the proposal, it is considered that there would be no adverse impacts to gas infrastructure.

The application site is located in a smoke control area. As such, the advice from the GBC Environmental

Protection Team (Regulatory Services) regarding smokeless fuels/appliances can be given to the applicant in an informative attached to any planning permission granted.

The GBC Environmental Protection Team (Regulatory Services) require that foul sewage shall be removed by means of the mains drainage system unless connection to the drainage system is not reasonably practicable. This information can be given to the applicant in an informative attached to any planning permission granted.

Local residents have raised a number of concerns, the majority of which have been covered in the above discussion. The outstanding issues are summarised (in italics) and commented on as follows;

- *Adverse effect on right to light* – this is a private interest and therefore is not a material planning consideration. However, the potential for adverse overshadowing impacts has been discussed above.
- *The rear extension and dormers may contravene permitted development* – the dormer would be permitted development but the extension and outbuilding would require planning permission.
- *Velux windows would be less intrusive than the proposed dormer* – agreed but the proposal must be determined as submitted.
- *Loss of mature hedge* - this aspect of the proposed development has been removed.
- *The existing driveway will be extended* – the application details do not specify how the land at the side of the proposed rear extension would be used. As the existing driveway at the side of the dwelling provides sufficient car parking, there is no need for the proposal to include any new parking spaces.
- *The proposed frontage parking area is unnecessary and would restrict on-road parking* – this aspect of the proposed development has been removed.

Suggested Conditions

Time limit

Development in accordance with the approved plans

Materials to match existing

Contamination watching brief

Retention of existing parking at the side

No openings (including flues) in flank elevations

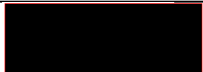
Obscure glazing to en-suite/w.c. windows

Conclusion & Recommendation

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	12th September 2024	Dated:	13 September 2024