



Delegated Report

Householder Planning Application

Planning Application No: 20240310

Location: 65 Pine Avenue Gravesend Kent DA12 1QY

Description: Erection of a two storey rear extension, two storey side extension, single storey side extension and front porch.

Applicant: Dr Manjit Singh

Site Visit Date: Previous application ref. 20220988

Submitted Documents/Plans

- Application form;
- Drawing no. H22/113 E – As Existing;
- Drawing no. H22/115 C – Proposed Improvements;
- Site Location Plan; and
- Design Considerations.

Superseded

- ~~Design Considerations.~~

The agent submitted an amended Design Considerations document in the course of the application to amend the section concerning neighbouring properties and whether they objected or not.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220988	Demolition of garage and erection of extension to side and front.	Refused Dismissed on appeal	15.11.2022 23.06.2023
20220526	Demolition of garage and erection of two storey side and front extension with roof terrace.	Withdrawn	21.07.2022

Following the appeal being dismissed on ref. 20220988 the applicant submitted a pre-application enquiry for an amended scheme.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change

- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

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).

Consultations, Publicity and Representations

Consultees

No response:

- Ward Councillors

Neighbouring properties

12 neighbouring properties were consulted when the application was originally made valid however, as the proposed plans had not been added to the planning register by the time the consultations had been sent out, a re-consultation of the same 12 properties was carried out once the proposed plans had been added to the planning register. The overall consultation expiry date was 6 June 2024.

A total of 9 responses were received (objections) the comments of which can be summarised as follows:

Design, Character and Appearance

- Proposal produces a dominating edifice on a very public site on the inside corner of the road;
- Single storey roof extension is not in keeping with the streetscene due to its bulky nature and extending beyond the principal elevation, could be mitigated by replacing the gable with a hipped roof;
- Extension too large for the footprint of the property, does not allow any greenspace for recreational purposes
- Property not in keeping with other properties in Pine Avenue;
- Roof to single storey north eastern extension is overly large and out of proportion with the remaining roofs, therefore looks incongruous;
- Use of slate not in keeping with the streetscene, permission for its use was refused on other houses in the street on these grounds;

- Proposed extension is larger than the existing house, thus out of proportion;
- Not a modest improvement and not a large plot;
- Variety of styles of houses but most are certainly not built up to edge of the boundary “with overlooking circumstances” as stated in Design Considerations document;

Neighbouring Amenity

- Will overshadow their property and be imposing;
- Loss of privacy by being overlooked and will be imposing;
- Aspect on north end far too excessive for the build, will lead to further development of a possible dormer and velux windows – would like to see a lower roof with a single storey extension;
- Window will directly look into their bedroom, an affront to their privacy
- Appeal decision para. 13 – whilst Inspector did not have issue with the rear 2 storey extension in design terms, they concluded it was unacceptable in terms of outlook and privacy related to no. 67, 69 and beyond – this element therefore needs to be removed or reduced to single storey to accommodate Inspector’s comments;
- Height of no. 65 up the hill already puts them at a disadvantage;
- To accommodate Inspector’s comments (para.13) rear two storey extension needs to be removed or reduced to single storey;
- New extension will encroach on privacy of adjacent gardens;
- Intrusion into the gardens and windows of neighbours, roof of one storey extension is high;

Parking and Highway Safety

- Site is currently used as an Airbnb, well reviewed and presents no problems and whilst the quote 'Driveway parking is available for up to 3 cars. Two vans can comfortably park on the driveway. Free street parking is also available' is factually correct, the proposal doubles the accommodation with no additional parking space;
- Street parking already problematic and dangerous as the road outside the house covers a 90 degree curve on a steep hill close to a large secondary school;
- Doubling of potential visitors can only create actual danger;
- Stating that there is free street parking available in the Airbnb description means the owner intends to encourage on-street parking of vehicles on a blind-bend, half-way up a hill, a problem particularly at school times;
- House has already been used as an Airbnb, more bedrooms will mean more cars;
- Car parking in Pine Avenue is already dangerous, especially during school runs, cars park on pavements, impossible to pass, serious accident waiting to happen;
- Garage already been demolished, less room for parking;
- House is situated on a blind bend and on road parking is dangerous there;

Biodiversity/Ecology

- No plan for green space, small area set aside for landscaping, All trees, shrubs, garden removed and completely hard paved;

Other

- Three large security lights illuminate and pollute the whole area through hours of darkness and show a complete lack of consideration for neighbours;
- Disturbed at night by the 3 large lights on side of property;
- Saying neighbours had not objected when they had;
- Design Considerations page is very misleading and potentially makes reader think the plan satisfies all standards and has been given green light by planning department;
- Letter stating there are no objections to the build is completely untrue;
- Letter stating we have been fully appraised of scheme and support it is a lie, no words have been spoken between us;
- The statement in the letter about neighbours not objecting to the proposals and none of the

neighbours being aware of objecting to the previous application despite their names and addresses appearing on submitted papers is wrong;

- The property is not being used as a residential property and likely never to given much of past year it's been used as a B&B;
- Proposal would house at least 6 people, more likely that owner intends to create a House of Multiple Occupancy;
- Will change residential nature of street;
- Design Considerations document states that neighbours have no objections to the proposal and questions their previous objections; believes the writer is making a completely false claim and asks the planning committee to look into this;
- Design Considerations document has no date or indication of the author, contains false and misleading information about objections to recent proposals at 65 Pine Avenue – neighbours objected and remain unhappy with the proposals;
- Document also leads readers to believe that this proposal is considered to satisfy all necessary criteria and has already been agreed by the planning department;
- Little likelihood of any proposal being followed to the letter;
- Concerns with neighbour's hedge height;

Non-material planning considerations

- Noise, upset and pollution generated by build, already have issues with work being carried out into late hours and weekends;
- Grave concerns about working practices; and
- How will proposal sit with Council Tax bandings.

Officer's Analysis

The application site consists of a two storey detached dwelling situated on the western side of Pine Avenue.

The proposal is for erection of a two storey rear extension, two storey side extension, single storey side extension and front porch.

There have been two previous applications on the site for extensions to the property - refs. 20220526 (withdrawn) and 20220988 (refused and dismissed on appeal).

Application ref. 20220988 was for 'Demolition of garage and erection of extension to side and front' and was refused on 15 November 2022 on the following grounds:

1. The proposed development by virtue of its scale, massing and design would be overly dominant and incongruous additions which would be out of scale and character with the host dwelling, harmful to it and the streetscene. As such, this proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and section 12 of the National Planning Policy Framework (2021).

2. The proposed development by virtue of its siting, design and proximity to several neighbouring properties would have a harmful impact in respect of overlooking, overbearing and would generally be an unneighbourly form of development. As such this proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 130 (f) of the National Planning Policy Framework (2021).

The applicant appealed the decision and the appeal was dismissed (APP/K2230/D/23/3316072).

It therefore needs to be seen whether this re-submitted proposal addresses the grounds of refusal of ref. 20220988 and the Inspector's reasons for dismissing the appeal.

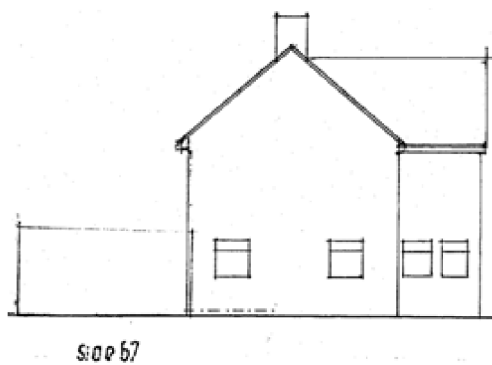
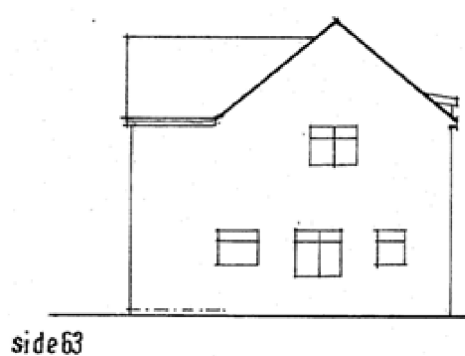
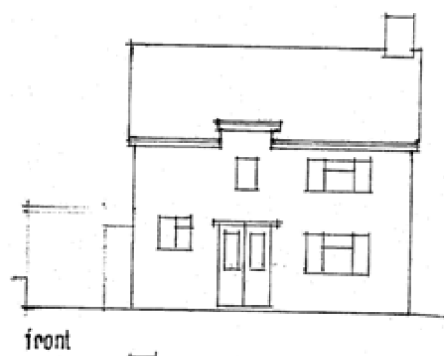
The principal considerations in the assessment of the application are as follows:

Design, Character and Appearance

This matter related to ground of refusal no. 1 of application ref. 20220988 and the Inspector upheld this ground of refusal.

For ease of reference the existing, refused and proposed elevations and floor plans are as follows:

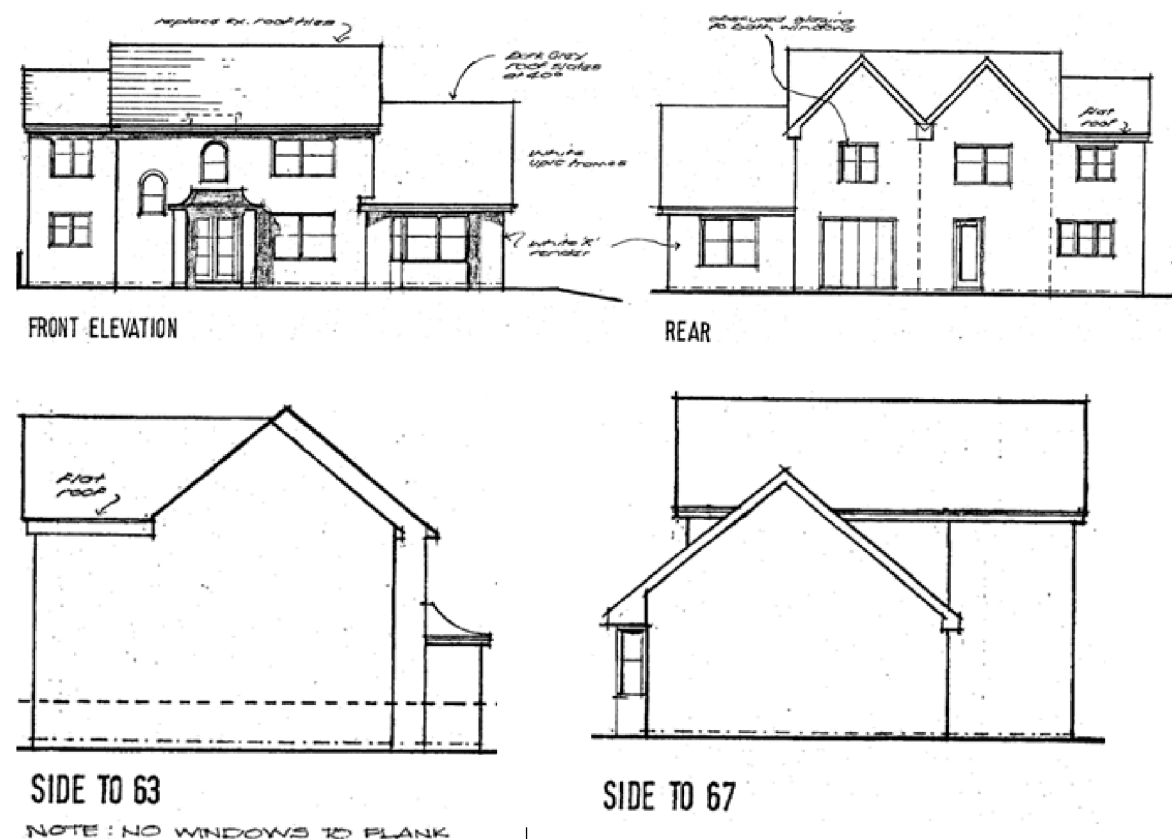
Existing:



Refused (ref. 20220988):



Proposed (current application):



In respect of character and appearance the Inspector stated in the appeal decision:

4. The appeal property is a detached two-storey dwelling which is prominently located due to its position on a bend in Pine Avenue, and the openness afforded by its wide frontage. It is a triangular shaped plot, with the rear garden appearing reasonably modest compared to the large side and front garden. The character and appearance of the street scene is mixed, with a variety of buildings in terms of design, size and scale. In contrast to some properties in the vicinity, the dwelling is set away from each of its boundaries; the former garage that was located close to the south-western boundary has been demolished.
5. Amongst other criteria, Policy CS19 of the Gravesham Local Plan Core Strategy 2014 (CS) requires the design, layout and form of new development to be derived from a robust analysis of local context and character and to make a positive contribution to the street scene and the character of the area. It requires account to be taken of the scale, height, layout and other architectural features of adjoining buildings. Given the array of building styles in the vicinity, there is no prevailing pattern to inform development at the site. Nevertheless, although the individual extensions are well-designed, cumulatively they would result in an overly dominant dwelling in the street scene as a result of the increased width and massing on this prominent site, and the mix of design styles on a single property. In particular, the narrow, lower addition with the dormer window would appear incongruous and cramped relative to the remainder of the dwelling and the plot.
6. Whilst I agree that there are some imposing buildings in the area, I am not convinced that the extended dwelling would be in scale with all the adjacent buildings as suggested by the appellant, nor that they would remain more dominant due to their full width plot occupation and car parking areas; most dwellings in the vicinity retain some gaps to boundaries, and the width of buildings is limited by their narrower plot sizes.
7. In isolation, I consider the resultant double gabled rear roof arrangement and gable-fronted side extension to be acceptable in design terms. Whilst I note the Council's concern that the roof form and blank elevation of the north-eastern side extension would be out of character with the dwelling, and harmful to the streetscene, there is such a variety of building styles in the vicinity that this element would not detract from the building or the area. There is also a range of window sizes and styles in the vicinity, including dormer windows. As such, although the proposed dormer window would appear out of place on this style of dwelling, the mixed size and shape of the remainder of the openings would be acceptable.
8. I therefore conclude that the proposal would detract from the character and appearance of the appeal building and the street scene, contrary to CS Policy CS19 and the design objectives of the National Planning Policy Framework, to create visually attractive buildings which are sympathetic to local character, including the surrounding built environment.

In summary, the Inspector's findings were:

- The individual extensions were well designed but cumulatively they would result in an overly dominant dwelling as a result of increased width and massing and the mix of design styles on a single property;
- In particular the narrow, lower addition with the dormer window would appear incongruous and

- cramped relative to the remainder of the dwelling and the plot;
- Agrees there are some imposing buildings in the area but not convinced the extended dwelling would be in scale with all the adjacent buildings nor that they would remain more dominant due to their full plot width occupation and parking as most retain some gaps to boundaries and the width of buildings is limited by their narrower plot sizes;
- The double gabled rear roof arrangement and gable front side extension are acceptable;
- The dormer window would appear out of place on this style of dwelling however the mixed size and shape of the remainder of the openings would be acceptable; and
- Proposal would detract from character and appearance of the building and street scene.

In respect of the Inspector's findings the following comments are made.

All of the extensions are still proposed as before apart from that the extension on the north-eastern flank is now proposed to be single storey rather than two storey and the dormer extension has been removed from the two storey extension on the south-western flank elevation. It is still considered therefore that cumulatively the proposed extensions would still result in an overly dominant dwelling as a result of an increased width and massing and mix of styles on a single property. In respect of width the proposed dwelling would be the same width as previously proposed in application ref. 20220988 (14.8m). In terms of massing the majority of the development is still proposed as before. The change from two storey to single storey for the north-eastern extension and the removal of the dormer on the south-western extension have not reduced the massing of the proposed development to any significant degree. The single storey north-eastern side extension would be a considerable height (5.7m) with a deep roof. Although it would be single storey, due to its large height and that its ridgeline would be greater than the eaves level of the host dwelling, it would appear as a very dominant extension. The extension would be just 1.6m less than the height of the two storey side extension previously proposed. In respect of massing it would still be an overly dominant addition therefore. It is also the case that a mix of design styles is still proposed on a single property. The proposed two storey extension on the south-western elevation, the two storey rear extension and the single storey extension on the north-eastern elevation are all of different designs and so again there would be no uniformity but instead a mix of styles on this property.

The Inspector stated specifically that the narrow, lower addition with the dormer window (the two storey extension proposed on the south-western side would appear incongruous and cramped relative to the remainder of the dwelling and the plot. As this extension is still proposed this matter has not been addressed at all.

As the resultant dwelling would be the same width as was proposed in the previous application the issue still stands that notwithstanding that there are other imposing buildings in the streetscene, the Inspector's concern that they were not convinced that the extended dwelling would not be in scale with all the adjacent buildings still remains. As the Inspector stated, most retain some gaps to boundaries and the width of buildings is limited by their narrower plot sizes.

The two storey rear extension which the Inspector found acceptable in design terms is still proposed as before. The two storey extension on the north-eastern elevation which the Inspector found acceptable in design terms is no longer proposed as it has been altered to a single storey side extension. It is considered that as the Inspector found the north-eastern two storey side extension acceptable in design terms including its roof form and blank elevation, the single storey extension proposed which is of slightly smaller scale would be deemed acceptable and so no objections are raised in this regard.

The dormer extension which was proposed in the front of the two storey south western side extension is no longer proposed so that matter has been resolved.

Therefore, in summary in looking at the Inspector's findings on the appeal decision and comparing the previous and current proposal it is considered that cumulatively the proposed extensions would still result in an overly dominant dwelling as a result of its increased width and massing and mix of styles on a single property. This is because all of the extensions are still proposed as before except the dormer extension and the north-eastern extension would be single storey instead of two storey however, these amendments

are not of a degree to mean the extensions proposed would not be overly dominant. The resultant width of the dwelling would be the same as the previous proposal and as stated the massing would be very similar as the proposed single storey side extension would be only 1.6m less in height than the two storey side extension that was previously proposed. There is also still a mix of styles on this one single property.

Overall therefore, the proposal by virtue of the cumulation of the extensions proposed which would create an overly dominant dwelling as a result of increased width and massing and the mix of design styles on this single property would detract from the character and appearance of the host building and the streetscene. As such the proposal is contrary to Policy CS19 (LPCS) and section 12 of the NPPF (2023). Ground of refusal no. 1 of application ref. 20220988 and the Inspector's reasons for dismissing the appeal in respect of character and appearance have therefore not been resolved.

Amenity of Occupiers

The property is and would remain as a three bedroom dwelling. With the proposals the garden area and rear garden depth would be:

Garden Area After Proposal - 162.8 sq. m

Rear Garden Depth After Proposal - 2.4m – 15m

SPG2 (2020) states that the minimum garden area for a three bedroom dwelling is 60 sq. m and the minimum rear garden depth is 10m. The resultant garden area and depth would still exceed the minimum standard therefore.

As a result of the proposal and re-ordering of the first floor internally there would be one new bedroom in the proposed south-western extension. This measures 11.5 sq. m so meets the minimum standard for a double bedroom as set out in the Technical Housing Standards (2015).

In respect of the amenity of occupiers the proposal is therefore considered compliant with Policy CS19 (LPCS).

Neighbouring Amenity

This matter related to ground of refusal no. 2 of application ref. 20220988 and the Inspector upheld this ground of refusal.

In respect of character and appearance the Inspector stated in the appeal decision:

9. As a result of their siting around a bend in Pine Avenue, the appeal property and several of its neighbours are oriented towards each other. At present, the spacing between No.65 and the dwellings to the north is sufficient to avoid any direct loss of privacy or overbearing impact on one another.
10. Although the building would appear larger, the outlook for most properties to the north and west would be preserved, given the distance between buildings. However, the proposed rear and north-eastern side extensions would bring development closer to the boundary with 67 Pine Avenue (No.67), which appears to be on lower ground. Given the reasonably close proximity, the ground levels, and the relative position of buildings, the extended dwelling would have a greater presence in the outlook for occupants of No.67 and its garden, appearing unduly oppressive and overbearing. Whilst the Council's delegated report found that no loss of outlook would arise, I consider that in being overbearing the development would intrinsically affect outlook. I do not share the appellant's view that the use of white render throughout would minimise the effect on other buildings.
11. The rear-facing windows of the south-western side and the rear extensions would serve bathrooms and obscure-glazing could be secured by condition. However, the proposed north-eastern side extension would have a first-floor habitable room rear window that would have the potential to cause direct overlooking of garden areas close to the dwellings, where residents could reasonably expect to have a greater degree of privacy. This potential would be more than the opportunity for overlooking arising from existing windows of the appeal property.
12. With regard to the south-western side extension, due to the relative positions and ground levels of Nos.65 and 63, I do not consider that this element would cause any material harm to the amenities enjoyed by occupants of that neighbouring building.
13. I therefore conclude that the proposed rear and north-eastern side extensions would detract from the outlook for occupants of 67 Pine Avenue, with the latter also resulting in the potential for direct loss of privacy to neighbouring gardens. This would be contrary to CS Policy CS19, which amongst other criteria requires new development to be located, designed and constructed to safeguard the amenity of neighbouring properties and land, and with paragraph 130 f) of the National Planning Policy Framework, which seeks to create places which promote health and well-being, with a high standard of amenity for existing and future users.

In summary, the Inspector found:

- The outlook for most properties to the north and west would be preserved;
- The proposed rear extension and north-eastern side extension would bring the development closer to the boundary with no. 67 Pine Avenue;
- Given the reasonably close proximity, the ground levels and the relative position of buildings, the extended dwelling would have a greater presence in the outlook for occupants of no. 67 and its

- garden appearing unduly oppressive and overbearing;
- In being overbearing the development would intrinsically affect outlook to no. 67;
- The use of white render would not minimise the effect on other buildings;
- The rear facing windows of the south-western side and rear extensions would serve bathrooms and could be obscured glazed by condition;
- The first floor habitable room window in the rear of the north-eastern side extension would have the potential to cause direct overlooking of gardens areas close to the dwellings greater than the existing situation and when residents could reasonably expect a greater degree of privacy;
- The south-western side extension due to relative positions and ground levels of no. 65 and 63 means there would be no material harm to the occupiers of no. 63;
- Concluded that both the proposed two storey rear extension and the two storey north-eastern side extension would detract from the outlook for occupants of no. 67 Pine Avenue and that the two storey north-eastern side extension would result in the potential for direct loss of privacy to neighbouring gardens.

In respect of the above points the following comments are made.

The proposed two storey rear extension and an extension on the north-eastern extension are still proposed and so the development would still be brought closer to the boundary with no. 67 Pine Avenue. The proposed north-eastern extension would now be single storey rather than two storey but as stated above it would be of considerable height (5.7m) with a deep roof and although it would be single storey it would have a large height with its ridgeline greater than the eaves level of the host dwelling and it would be just 1.6m less than the height of the two storey side extension previously proposed. As such, as the two storey rear extension is still proposed as before and that an extension on the north-eastern elevation is still proposed which is very large and not that much less than the height of the previous two storey extension, then as before given the proximity, ground levels and relative position of the buildings, the extended dwelling would still have a greater presence on the outlook for occupants of no. 67 and its garden appearing unduly oppressive and overbearing and affecting outlook to no. 67.

As the proposed north-eastern extension would now be single storey and not two storey the matter of overlooking from the first floor habitable room window which would have been in the rear of the two storey extension to neighbouring gardens has been removed.

The south-western extension is the same as previously proposed (minus dormer) so as before no material harm to occupiers of no. 63.

Therefore, in summary in looking at the Inspector's findings on the appeal decision and comparing the previous and current proposal it is considered that given that the two storey rear extension is still proposed then this alone raises the same issues as the Inspector found before in respect of neighbouring amenity. It would bring the development closer to the boundary with no. 67 which is on lower ground and given the closer proximity, the ground levels and the relative position of the buildings it would still have a greater presence in the outlook for occupants of no. 67 and its garden appearing unduly oppressive, overbearing and affect outlook. Furthermore, although the proposed north-eastern side extension would now be single storey rather than two storeys it would still be a very tall extension that would be only 1.6m less in height than the two storey extension previously proposed. As such it is considered the north-eastern extension would still cause the same issues as the Inspector stated previously (unduly oppressive, overbearing and affect outlook) albeit to a slightly lesser degree given the slightly lesser height of it. The matter of overlooking and loss of privacy to neighbouring gardens has been resolved as the first floor habitable room window in the rear of the north-eastern extension is no longer proposed.

Overall therefore, the proposal by virtue of the proposed rear and north-eastern side extensions would be unduly oppressive, overbearing and detract from the outlook for occupiers of no. 67 Pine Avenue which would be detrimental to their amenity. As such the proposal is contrary to Policy CS19 (LPCS) and section 12 of the NPPF (2023). Ground of refusal no. 2 of application ref. 20220988 and the Inspector's reasons for dismissing the appeal in respect of living conditions have therefore not been resolved.

Parking and Highway Safety

The dwelling is and would remain as a three bedroom dwelling therefore no increase in bedrooms. The proposed block plan shows there would be an area for the parking of three cars which would meet the maximum parking standards as set in SPG6 (2006) for a dwelling with two or three bedrooms which is two spaces per dwelling. As such in respect of parking and highway safety the proposal is compliant with saved Policy P3 (LPFR).

Any Other Material Planning Considerations

None.

Conclusion & Recommendation

The proposal is acceptable in respect of occupier amenity and parking and highway safety but is unacceptable in respect of design, character and appearance for the reasons explained above. The proposal has therefore not addressed the grounds of refusal nos. 1 and 2 of previous application ref. 20220988 or the Inspector's reasons for dismissing the appeal in respect of those matters in the appeal decision for that application.

Recommendation: Refusal

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

Case Officer:	Ms Rebecca Harrison	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	2 July 2024	Dated:	2 nd July 2024