

Delegated Report

Householder Planning Application

Planning Application No: 20230049

Location: 37 Cheyne Walk Meopham Gravesend Kent

Description: Erection of two storey side extension to form, play room and study, first floor two en-suite bathrooms and a walk-in wardrobe to the existing bedroom existing garage to be removed, and new Garage to be constructed.

Applicant: Mrs Kathryn McBryde

Site Visit Date: Desktop Assessment/Visit from street only – 09/02/2023

Submitted Documents/Plans

Application form
Site Location Plan
Existing Block/Site Plan
Proposed Block/Site Plan
MAD-457-01 – Existing and Proposed Floor Plans and Elevations
Cover Letter
Photographs

Relevant Planning History

Reference	Description	Decision	Decision Date
20160555	***REVISED PLAN*** Erection of two storey rear and side extensions to form enlarged lounge and kitchen, utility room, play room and study at ground floor with enlarged master bedroom with en-suite bathroom, walk-in wardrobe and family bathroom and an extra bedroom at first floor level.	Permitted	13.09.2016
19750092	Erection of a single storey extension at front to form study bed sitting room	Permitted	14.04.1975

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 (2021) 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 (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

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

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

Ward Councillors: No comments Received

Meopham Parish Council: *‘...raises no objection to this planning application providing it meets the requirements of GBC’s Householder Extensions/Alterations Design Guide.’*

GBC Highways:

25/01/23

The applicant needs to provide two parking spaces, one would be on the existing drive, whilst the second can be on a bound permeable surface in the front garden, given the size of the garden, this can be conditioned.

SPG4 states

Garages

B2. Experience has shown that garages provided for individual residential dwellings are unlikely to be used for the parking of a vehicle unless sufficient space is also incorporated within the garage for storage. This may have less relevance for garages that are provided as a communal facility for residential accommodation. However, the needs of the mobility impaired, either as a driver or as a passenger, should also be considered in the design of garages and sufficient space should also be allowed to enable a garage to be used as a secure location for any cycle parking provision.

Taking these factors into account the preferred internal dimensions of a garage that should be considered for residential developments in Kent are:

Preferred Garage Size for Single Car	5.5m (length) x 3.6m (width)
Preferred Garage Size for Two Cars	5.5m (length) x 6.0m (width)

Where it can be demonstrated that cycle parking is provided elsewhere width of garage can be reduced.

Parking Bay Sizes

B7. The dimensions of a car vary considerably with current vehicles ranging from 2.5m to 5.6m in length and 1.7m to 2.4m in width. The average dimensions of a car based on those currently available on the market is around 4.4m in length and 2.0m in width. Design Bulletin 32 (DB32) sets a minimum parking bay for cars of 4.8m x 2.4m. This would provide approximately 0.2m (8 inches) clearance around an average car. There are circumstances, particularly those involving the loading and unloading of vehicles, when a larger parking bay size than that set out in DB32 would be preferable.

B8. The preferred sizes for parking bays in Kent provided as part of development proposals are:

	Length	Width
Parking Bay Size for Powered Two-Wheelers ⁽¹⁾	2.5m	1.5m
Parking Bay Size for Cars ⁽²⁾	5.0m	2.5m
Parking Bay Size for People with a Mobility Handicap	5.5m	3.6m
Parking Bay Size for Light Goods Vehicles	7.5m	3.5m
Parking Bay Size for Minibuses ⁽³⁾	8.0m	4.0m
Parking Bay Size for Coaches ⁽³⁾	14.0m	4.0m
Parking Bay Size for Rigid Heavy Goods Vehicles	12.0m	3.5m
Parking Bay Size for Articulated Heavy Goods Vehicles	16.0m	3.5m
Notes:	1. A minimum space of 1.0m should be allowed between each motorcycle. 2. Where car parking spaces are provided parallel to, and abutting, a carriageway, aisle or drive the preferred bay size should be 6.0m x 2.5m to allow vehicles to manoeuvre into the bay when adjoining bays are occupied. The width of end spaces abutting an enclosed boundary should be increased to 2.7m 3. A width of 4.0m is the minimum necessary to allow passengers to embark and disembark safely.	

This proposal requires a revision, the proposed garage is narrower than the existing one to be demolished and does not conform to current guidance for either a garage or parking space, so at best the garage is a store or a place to park cycles and/or motorcycles.

01/02/2023

'I refer to the consultation on this application ... of earlier which do not appear to have been addressed. Note the dimension given for the garages is internal for the existing situation, whilst external for the proposed. The new garage is totally unsuitable for parking a modern vehicle and car parking needs to be provided elsewhere, there is adequate space available in the front garden so it can be conditioned.'

KCC Highways

'...it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.'

Officer Note: An informative was also requested.

Southern Water

It appears that the developer is intending to build-over a public foul sewer which is crossing the site. Building over a "public sewer" is not normally permitted by Southern Water. An investigation of the sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building-over the sewer.

The length of sewer to be built over under the terms of Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker, which in this case is Southern Water. The conditions and application associated with the build-over a public sewer are available at Southern Water's Get Connected service: developerservices.southernwater.co.uk

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; prior to the commencement of development, the developer must advise the local authority, in consultation with Southern Water, of measures which will be undertaken to protect the public sewers.

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways. gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

Neighbouring properties

6no. surrounding properties were consulted, and 3 comments were received. (2 objections and 1 representation). It is noted that the second objection appears to be a duplicate.

Summary of Representation:

- The North wall of the garage form the south wall of the neighbour's garden room, utility room and garage. If the garage was removed, it would expose the wall of the neighbouring property and damage the roof without remedy.
- Queries reliance on access on neighbours' property for construction purposes.
- Concerns regarding pipework under the proposed garage and new footings impacting this.
- Concerns regarding maintenance of neighbour boundary garage wall given the narrow gap proposed.
- Concerns about finished elevations and ensuring it is in keeping with neighbouring properties and maintaining a desirable street view.
- Details of guttering not provided.
- Concerns regarding level of off street parking, lack of additional hardstanding and width of the garage for modern cars.
- The garage would not allow a fully open car door or access for refuse been when vehicle is parked.
- Would impact potential installation of electric vehicle charging point in future.
- Party Wall Act would need to be implemented.

Summary of Objections:

- The new proposal to increase height of the second storey to the south elevation would result in loss of light to neighbouring property and garden.
- The second storey window on the South elevation would look directly into the neighbour's property and garden, only one metre back from the boundary fence. Even if opaque when opened would destroy privacy.
- These changes were likely not sought in 2016 with the original application as it could have affected the double extension they have already built to the rear elevation.
- This is a small plot with cumulative works resulting in one of the largest houses in the area.

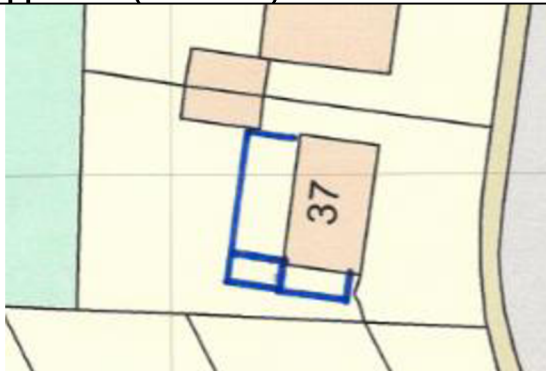
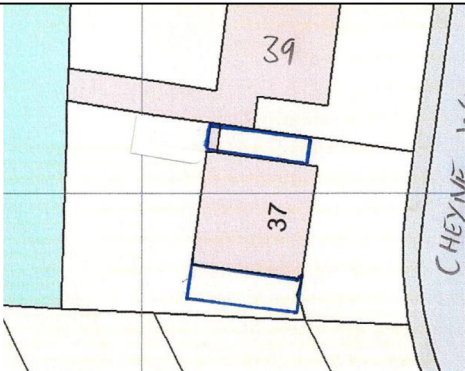
Proposal

Planning ref 20160555 gave consent for *'Erection of two storey rear and side extensions to form enlarged lounge and kitchen, utility room, play room and study at ground floor with enlarged master bedroom with en-suite bathroom, walk-in wardrobe and family bathroom and an extra bedroom at first floor level.'*

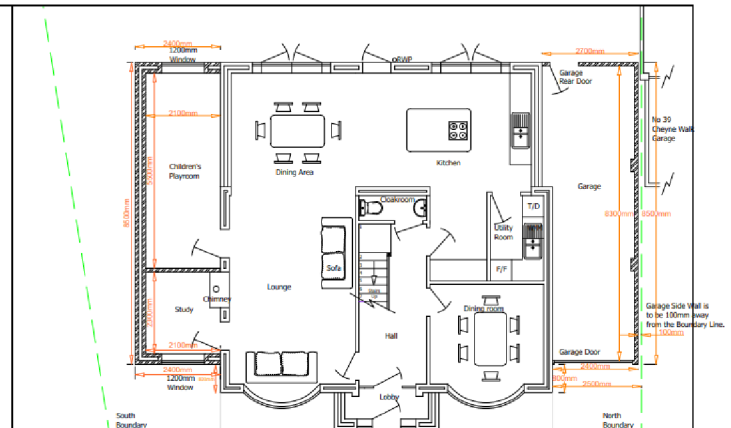
The below photograph, provided by the applicant shows that the two-storey rear element of the construction has been substantially erected. However, the two-storey side aspect has not yet begun.



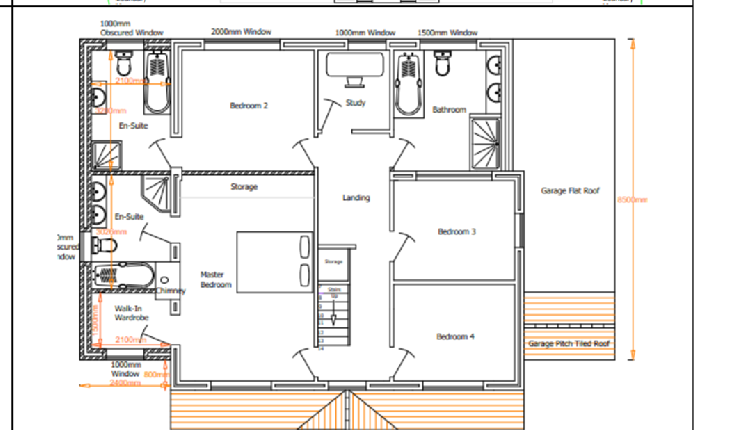
Based on historical aerial maps this was erected shortly after permission was achieved but no further increase in footprint has been undertaken since. This proposal therefore seeks to erect a two storey side extension, which instead extends at two storey height at almost the entire depth of the house. Unlike the previous consent, it would also demolish the existing garage and erect a single storey garage to the north side of the dwellinghouse. It would also include the installation of an upper floor window to the first floor south side elevation and a window larger than previously proposed to the front of the side extension, facing the street.

Plan	Approved (20160555)	Proposed
Block Plan		

Ground Floor Plan

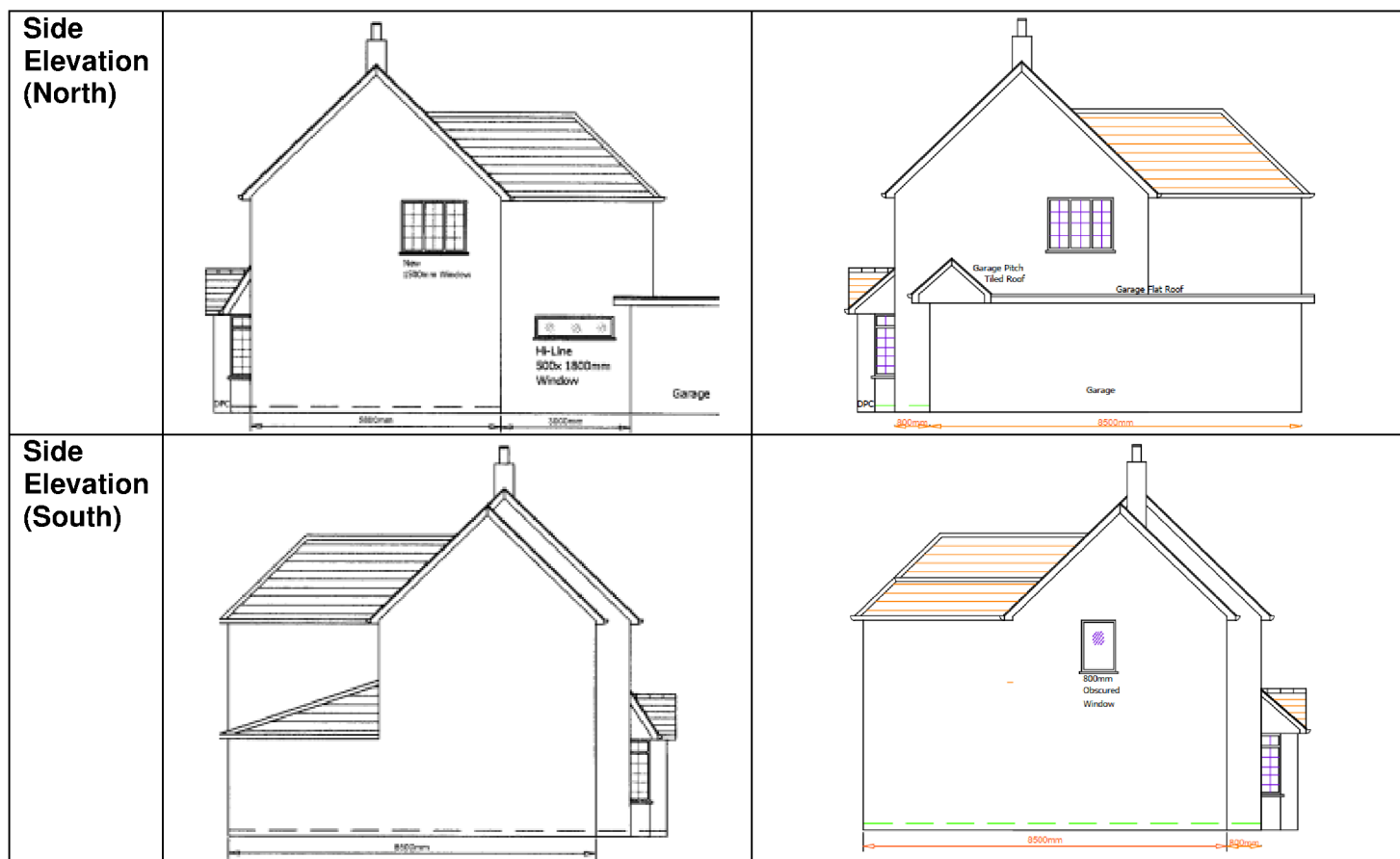


First Floor Plan



Rear Elevation





Officer's Analysis

Principle of Development

This application is located in a Rural Settlement inset from the Green Belt, where alterations and extensions to residential buildings are generally acceptable in principle as per Policy CS02: Scale and Distribution of Development.

However, all other relevant matters should be considered. In this instance, the main points to consider would be the potential impact on; Visual Amenity (Design, Character and Appearance), Amenity of Future Occupiers, Residential Amenity of neighbours and Parking Provision.

Design, Character and Appearance

The first-floor element of the side extension would fill in the current space to the side of the application property, which can be harmful due to the creation of a 'terracing' effect. However, visually other than use of a larger window to the front of this extension, it would not appear significantly different in the streetscene to that previously approved. The officer in that previous assessment stated:

'The proposed side extension is 2.4 metres wide. It is set back from the front elevation of the property by 800mm and also has a roof ridge line lower than the main dwelling. This ensures the extension has a subservient appearance to the main dwelling.'

These facts presented remain relevant for this alternative proposal. However, this proposal does create additional bulk, given that the two-storey element of the side extension would extend beyond the depth of the original dwellinghouses and meet the rear building line of the previously approved and built two storey rear extension. Whilst it would be a small increase from the works previously approved, it would be a large increase from the original dwellinghouse. In the previous report, the officer stated that *'While it is clear that*

the size of 37 Cheyne Walk is being increased significantly, the property is not within the greenbelt and there is no restriction on footprint.' Again, I agree with this statement. However, lying outside the Green Belt does not allow for unfettered increase and additions should be subservient and this should be considered both in terms of the impact of individual additions but also the cumulative impact of development overtime.

Often, to ensure development is subservient, design tools are used. In this case, whilst there would be a large increase in footprint in respect of the original dwellinghouse, the side extension would be set back from the front and down from the rise of the main dwellinghouse. Its windows would be appropriately sized and allow for a submissive appearance as viewed from the streetscene.

The ground floor replacement garage would be set forward of the existing garage and fronting the neighbour's garage. This would be an unusual arrangement and would result in a more prominent appearance, given the single storey nature of the addition and that it would be set back from the main dwellinghouse of the subject site but also the front elevation of this adjoining neighbour, it would be considered a subservient addition. It is also important to note that the visual spacing that would be retained above the garage would ensure that the building would not be subject to a 'terracing effect'.

Whilst both additions are considered to be subservient, it should be noted that the building would as a result of both this development and the works which have previously been undertaken, be extended to the rear and both sides and this is a significant level of built form to be added to this once modest dwellinghouse. However it is the lack of first floor addition to the northern side, the appropriate design features and minor increase from that previously approved which ensure this development would be considered subservient. It is my opinion that further extension at ground, first floor or roof height would be considered to be a subservient addition in terms of scale, unless significant alterations to the existing building and its layout were made.

The relationship between the existing garage and the neighbour is evidenced in the below images:





On balance, the proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF (2021) in terms of design, character and appearance.

Amenity of Future Occupiers

The rooms proposed by the side extension meet the required minimum space standards and would continue to have adequate rear garden depth and area as per SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020.

Neighbouring Amenity

10 Grenville Close

This neighbour is located to the south. The dwellinghouses are located on a non-uniform road and so their principle elevations are perpendicular to one another. The subject dwellinghouse faces east and this neighbour's dwellinghouse faces south. The rear boundary of this neighbour's plot would therefore be faced by the proposed two storey side elevation. The proposed extension would be 1 metre from the shared boundary and 2.3m at its furthest. This would be 11-16 metres from these neighbour's rear elevation. At such a distance and given the east to west, southerly route of the sun, this would be unlikely to result in significant overshadowing of this neighbour's building or garden.

However, paragraph 9.7 of the Householder Extension/Alterations Design Guide states:

An extension close to a neighbouring properties window, or a large extension on the boundary, can cause a loss of amenity by appearing overbearing and creating a sense of enclosure and dominance. Careful consideration will therefore need to be given to the relationship to existing

neighbouring windows and to the size and design of an extension that may change the outlook from a neighbouring property.



The above image shows the current situation from this neighbour's perspective. It is noted that there was previously a hedge on this boundary, which is no longer present. It is also noted that whilst at some period of the year when the tree is flourishing it would also reduce visibility of the addition somewhat. However, the rearmost part of the two storey side extension which has increased from the previous proposal would be visible despite the tree. Also, given that the proposed works will likely impact this trees rooting area, its continued presence is not guaranteed and it is not considered a permanent feature. Regardless of this, the proposed two storey extension would be close to the neighbours boundary extending along the majority of the rear boundary, appearing overbearing and resulting in a sense of enclosure which does not currently exist. The previous approval only allowed a part two storey side extension, and did not result in two storey bulk at the entire length of this neighbours rear boundary and so it did not raise the same issue of overbearing bulk and sense of enclosure at the boundary that this scheme does.

The previous officer noted of this property:

This property already has a modest rear garden with a minimum depth of 10 metres. It is therefore important to ensure that the extension does not cause any loss of light to 10 Grenville Close. According to the Residential Layout Guidelines, where windows of habitable rooms face each other (whether across a road, pedestrian way or private garden) a window-to-window distance of at least 21 metres should be provided. In additional, a minimum distance of 21 metres shall be provided between the windows of habitable rooms and the private garden area of any dwelling.

This proposal does introduce an obscure glazed window to the scheme for a non-habitable room (a

bathroom). It has not been identified whether this would be openable but, a condition ensuring that the window would remain to be obscure glazed and that it would be non-opening would overcome such concern. As such a condition could be applied as a compliance condition and would not require additional details, despite other reasons for refusal, this issue would not be included as a refusal reason on this decision.

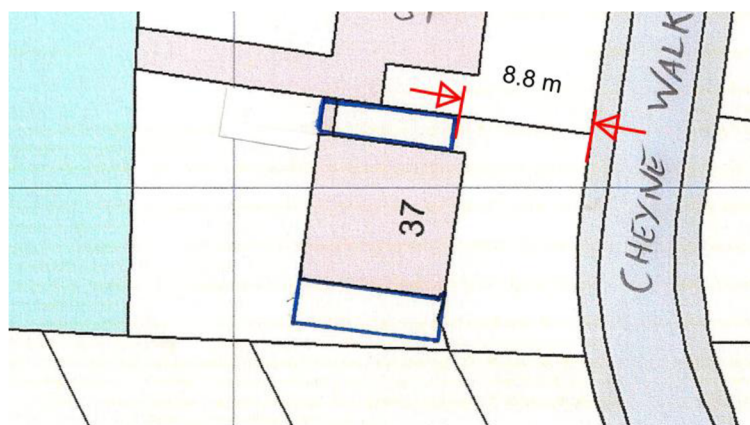
39 Cheyne Walk

This neighbour is located to the north. The existing garages are adjoined. The proposed two storey side extension would not be visible from this neighbour's perspective directly. Given its position it would have little impact on this neighbour's residential amenity. The replacement garage would be set forward of this neighbour's garage with a 0.1m distance from the boundary. Whilst such a small separation is unusual and may raise concerns for the neighbour with regard to party wall agreements maintenance access, this is not a material planning consideration. The replacement garage would be single storey, it would not extend beyond the front or rearmost elevations and would not be overbearing in scale, height or position nor would it result in significant overshadowing or overlook to this neighbour.

The proposal is therefore considered to harm the amenity of neighbouring properties in contravention with policy CS19 of the Core Strategy 2014 and the Householder Extensions/Alterations Guide.

Parking Provision

The proposed dwellinghouse should provide adequate off-site parking provision for 2 vehicles. However, the proposed garage is narrower than would usually be required for vehicle spacing and so this would need to be provided within the garden, and this is plausible but not identified in this current scheme. The existing driveway would be reduced to 8.8 metres, which is insufficient for two cars to park in a tandem arrangement as identified in the highways comments summarised earlier in the report;



This could be addressed by requiring further details, secured by condition. However, given that the application is to be refused for other reasons, a refusal reason for this aspect of the scheme will also be applied.

Conclusion & Recommendation

By virtue of the excessive depth of the proposed projecting features at the boundary with adjoining neighbours, the proposed two storey side extension would result in harm to the living environments of future occupants of the neighbouring property at 10 Grenville Close. The rear garden would experience a significant level of overbearing bulk creating an oppressive and enclosing atmosphere. The proposal would therefore fail to provide a high standard of amenity for neighbouring's sites which conflicts with the requirements of the Householder Alterations/Extensions Guide, Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 126 and 130 of the National Planning Policy Framework 2021.

The proposed development by reason of its inability to demonstrate adequate level of on site vehicle

parking provision, resulting in harmful impact to highway safety, would as result be contrary to paragraphs 110 to 113 of the National Planning Policy Framework (2021), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

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

Case Officer:	Ms Lisa Williams	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	15th March 2023	Dated:	16 March 2023