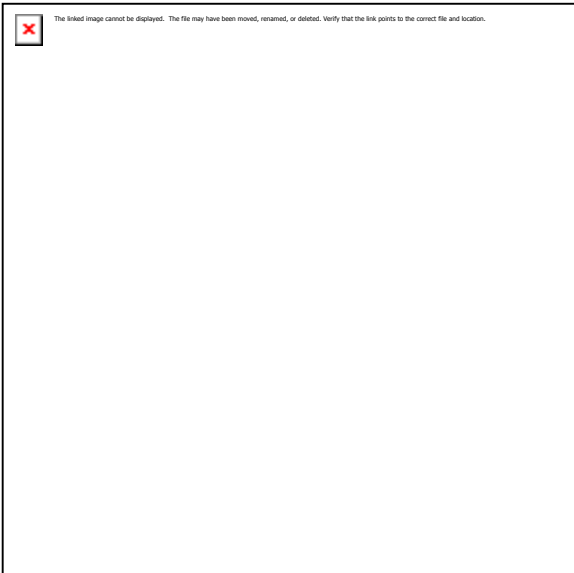




Delegated Report

Householder Planning Application

Planning Application No: 20220619

Location: 15 Harden Road Northfleet Gravesend Kent

Description: Erection of a single storey 1 bedroom dwelling in the rear garden.

Applicant: Mr Musa Cicek

Site Visit Date: 23/6/22

Submitted Documents/Plans

- Application Form
- Drawing No: 100/02A (Existing Floor Plans and Elevations)
- Drawing No: 100/30 (Proposed Floor Plans and Elevations and Sections)
- Drawing No: 0100/01 (Site Location Map)

Supplementary information:

- Site images
- Design Access Statement
- Design Data Sheet

Relevant Planning History

Reference	Description	Outcome	Decision Date
20170597	Erection of a two storey 2 bedroom detached dwelling with attached garage and access from Henry Gardens.	Refused	14.11.2017
20181158	Erection of a single storey two bedroom detached dwelling with access from Henry Gardens.	Refused	08.02.2019

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 -Impact of Development on the Highway Network
- T5 – New Access onto the Highway Network

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)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 15 – Conserving and Enhancing the natural environment

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);

Consultations, Publicity and Representations

Consultees

GBC - Highways Officer

"I would recommend refusal of this application."

Kent County Council's guidance for the formation of a carriage crossover contains the following information.

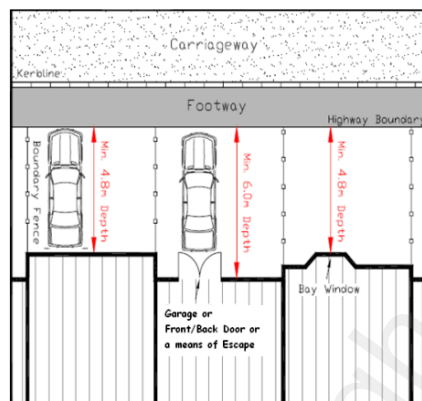
Vehicle Crossing Guidance and Self Assessment

Before submitting your application you are advised to check your proposal against the following criteria: -

1 Is there enough space in your garden?

No part of a vehicle parked within your property may project on to or over the highway. The vehicle access crossing may not be used as a parking area and no part of it is exempted for the purpose of footway parking. In order to comply, the parking space must be:-

- at least 4.8m long between the back of the pavement or property boundary (the face of any wall, fence or hedge for example) and the front of your building.
- Or at least 6m long where the parking area is in front of a garage or door where adequate means of escape needs to be provided, like a front/back door, escape window etc. If you have any questions on the adequate means of escape please contact your local Kent Fire and Rescue Service, Safety Office.



Vehicle Crossing Guidance and Self-Assessment v8 2
www.kent.gov.uk October 2018

The parking space must be:-

- At a right angle to the highway with the vehicle able to enter and exit the property in one movement.
- There must be no adjusting movements of a vehicle made on the highway when entering or exiting the property.

Approval to construct and use a vehicle crossing is only given to allow vehicles to cross from highway to private property and back, and for those vehicles to be parked wholly off the highway and not overhanging highway at all (highway includes carriageway, footway and verge). Property Owners/Occupiers will be notified if a breach of this condition occurs and if it continues after notification KCC reserve the right to remove the vehicle access with immediate effect by reinstating the highway to its original state and recharging costs of any related works to the owner and/or occupier as appropriate

The policy of the Highway Authority in relation to minimum depths has changed over time. This may mean that properties in your road have a vehicle access crossing that does not comply with the above criteria and appears in all respects to be very similar to your own proposals. Nevertheless, you will need to comply with the standards set out above and the fact that someone else may have a shorter parking space will not be taken into account when assessing your proposals.

*The depth of the front garden is insufficient to permit perpendicular parking to the highway and so it is unlikely the Highway Authority would permit a carriage crossover to the front of this property. **Note this differs to previous views that were based on photos submitted rather than dimensioned drawings.***

It is noted, that the application description does not refer to parking for the existing dwelling and as none currently exists, no replacement to permit the development would be required, it is therefore suggested that all reference to parking in the front garden should be deleted from this application.

Now considering the single dwelling in the rear garden. Vehicle parking standards would suggest that one car parking space (Interim Guidance Note 3 of the Kent Design Guide, Residential Parking) and one secure cycle parking space (SPG4) is required.

Looking at the design, no secure cycle parking is provided and the parking space is parallel to the carriageway with restricted visibility for any vehicle emerging from the parking space. It would appear that they will be reliance on the use of door mirrors to exit the space, but as the vehicle turns to join the carriageway visibility will be lost and requires a driver looking over his shoulder to safely complete the manoeuvre, but depending on the vehicle and the driver's agility this may be also restricted. The current Manual for Streets, due for replacement this year, suggests for a 10MPH environment there needs to be a clear view of 11 metres. Given the boundary walls for the neighbouring properties and the limited margin, it is doubtful that this can be achieved. However it has to be accepted that the other properties do not have appropriate visibility splays from their garages, although the more recent development within the rear area does have suitable parking provided.

STOPPING SIGHT DISTANCE GUIDANCE TABLE

SPEED	mph	10	12	15	16	19	20	25	28	30	31	37
	kph	16	20	24	25	30	32	40	45	48	50	60
SSD (nil gradient)	m	11	14	17	18	23	25	33	39	43	45	59
DB32 (superseded)	m	14		23			33	45		60		

(For measured speeds above 37 mph refer to the equation and earlier comments on the driver perception-reaction time)

Interim Guidance Note 2 of the Kent Design Guide Visibility.

In terms of the actual parking space, the guidance given in SPG4 suggests that parking spaces adjacent to an enclosed boundary should be widened to 2.7 metres to provide pedestrian access to the vehicle that would usually be available from a footway or an adjacent parking space.

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

SPG4

It also needs to be noted that the 6 metre length, assumes there will be some space that can be borrowed from adjacent parking spaces to complete the manoeuvre safely. In this case 7.65metres is shown and so should be adequate.

So, as presented I would recommend refusal.

1. The car parking to the front of the property is substandard and unnecessary and should be deleted from the scheme.
2. No secure cycle parking is provided to conform to SPG4
3. The proposed parking space for the new dwelling is substandard, it should be 2.7 metres wide to comply with SPG4
4. Visibility for a vehicle emerging from the parking space does not conform to current guidance and ideally it should be perpendicular to the carriageway, but as it is not highway a more relaxed approach may be possible. As there is no control on the type of vehicle that could be parked, a van having more restricted visibility than a car, it is doubtful that the desired visibility can be achieved, 11 metres from the drivers position in both directions. (However, given the current situation for neighbouring properties a Planning Inspector may take a different view, given the very low traffic volumes).

oil interceptors (see Appendix H3-A).

Soakaways and other infiltration drainage systems

3.23 Infiltration devices include soakaways, swales, infiltration basins and filter drains.

3.24 Further information on the design of infiltration drainage systems can be found in CIRIA Report 156 – *Infiltration drainage – Manual of good practice*.

3.25 Infiltration drainage is not always possible. Infiltration devices should not be built:

- a. within 5m of a building or road or in areas of unstable land (see Planning Policy Guidance Note 14 Annex 1);

BUILDING REGULATIONS H3

I note the applicant states Main Sewer, but this requires either a combined or surface water sewer to be available, which the applicant can access.”

KCC - Heritage Conservation (E & W)

No comments received.

Neighbouring properties

The application was advertised by way of letter to 7 surrounding properties. The consultation period expired on 30th June 2022 and no comments were received.

Officer's Analysis

Housing Need

In regard to housing need, Policy CS02 (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. This engages the first part of footnote 8 of the National Planning Policy Framework and this means for decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the National Planning Policy Framework Para 11(d) unless:

- i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The proposed development for a net increase of '1' no. dwelling would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded modest weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2021) and in particular paragraphs 130 and 134 of the NPPF (2021) which requires development to be added to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers. The proposed development is considered unacceptable as discussed below.

Proposal

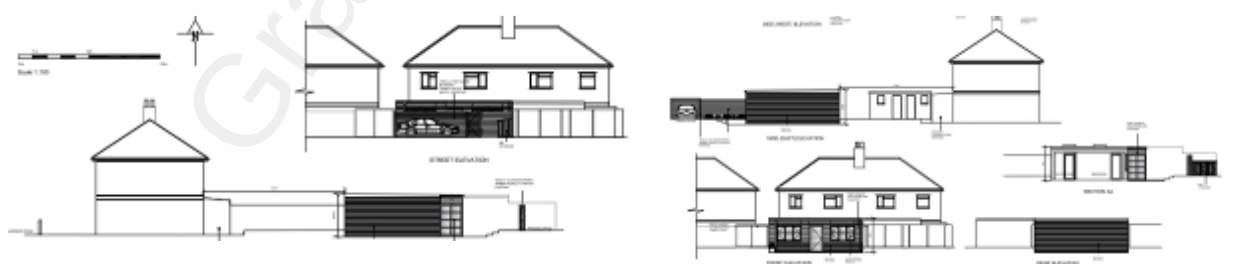
The proposal seeks the erection of a single storey 1 bedroom dwelling in the rear garden of 15 Harden Road.

The dwelling will span 8.2m and will be set within the boundaries and have a minimum depth of 6.7 and a maximum depth of 8.3m owing to its L Shaped design. The dwelling will be finished with a flat roof which will have an overall height of 3m and include 3 roof lights which will serve a bathroom and a kitchen/diner/living area.

The internal layout comprises a kitchen/diner/living area, one bedroom, a bathroom, and a store cupboard. The site frontage provides a single parking space and a garden for the proposed dwelling which is set behind a 1.8m high close boarded fence to match the existing fencing at the site.

The development will have two windows in the front elevations which will serve the kitchen/diner/living area and bedroom. There will also be a door in the front elevation to allow for access to the property.

To the front of the property there will be a small garden area and a parking space as well as a bin store. The proposed dwelling will be constructed using red stock brick and there will be elements of fibre cement weatherboard cladding to the front of the bungalow.





Design, Character and Appearance

The application site sits within the urban residential area that comprising mainly two storey, semi-detached dwellings with hipped roofs. The predominant materials on this side of Harden Road are part red multi brick and render with brown plain roof tiles.

The main dwelling is one of a pair of semi-detached dwellings and fronts onto Harden Road. It is set back from the main highway, behind a highway verge and front garden. A car is being parked in the front garden however there is no formal crossover to provide access over the highway verge. Rear access is available to the dwelling from Henry Gardens, although no direct off street parking is currently provided from here.

The rear garden is flanked by two domestic garages belonging to the neighbouring properties. That to the rear of no 13 appears to lie on the boundary of the two properties. There are a couple of large trees located within the rear garden of the application site.



The current proposal seeks to erect a single storey detached dwelling in the rear garden of No 15 facing onto Henry Gardens. The proposal is a resubmission of earlier applications (20181158 and 20170597) which sought to erect a two storey flat roofed 2 bedroom detached and a single storey flat roofed dwelling in a similar location. The existing garden has an average depth of 24.155m and a width of 8.5m. The proposal seeks to divide the garden in two parts, which would allow an 10m rear garden for the existing dwelling and the remaining garden (14.5m depth) to be developed for the new dwelling.

The proposed dwelling is set back between 6.14m and 7.75m from Henry Gardens. It extends the full width of the garden and abuts a small section of the domestic garage at the rear of no 13 Harden Road. As a result two trees will be lost.

No 15 Harden Road is one of a pair of semi-detached dwellings fronting onto the south side of Harden Road. The rear garden of the property is fenced with a 1.8m high timber panel fence facing onto Henry

Gardens. A number of the neighbouring properties have erected single storey, low scale single garages or have gates facing onto Harden Road.

A group of five bungalows (2 pairs of semi-detached and 1 detached bungalow) with on plot parking have replaced previous allotments to the rear of Harden Road (pursuant to application reference 20090614). This development is accessed from Harden Road via Henry Gardens, 5.5m wide access road that runs to the rear of the application site. The materials used are red multi brick with plain roof tiles.

Core Strategy policy CS19 sets out that new development should 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, which are characteristic of the surrounding area and as such should also integrate well with the surrounding development

The scale of development in the neighbouring properties within this backland area comprises low key and unobtrusive mainly flat roofed domestic outbuildings serving dwellings fronting Harden Road, Cygnet Gardens and New House Lane. The more recent bungalows to the rear of dwellings in Harden Road are greater in scale and massing than the existing domestic outbuildings found in the rear gardens of nearby dwelling, as they have gabled roofs and a front gable projection, but they are physically and visually distinct from the application site and other properties in Harden Road.

The proposed dwelling is set back from the Henry Gardens frontage within the rear garden of the application dwelling. The proposed dwelling has a front garden space for use as amenity space which is not ideal. The scale and appearance of the proposed dwelling fails to respect the surrounding buildings. The width of the dwelling introduces a prominent and visually intrusive building into the rear garden area which will dominate the outlook from neighbouring properties and reduce their amenity. Furthermore the dwelling will be finished with a flat roof which is not encouraged nor supported by the Council. As such the proposal will not integrate well into the surrounding area, contrary to Core Strategy Policy CS19 (development and Design Principles)

Amenity of Future Occupiers

Internal space standards

In order to ensure that the proposal will create a suitable living environment for future residents the design and layout of new residential development should accord with the nationally described space standards. These set out minimum internal floor areas for new dwellings based on the level of occupancy, bedroom size and number of storeys. Taking account of these standards, as can be seen from the table below the proposed internal space of the 50m² bungalow meets the minimum space standards for a 1 bedroom 2 person single storey dwelling:

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
1b	2p	50	58		1.5

Access to the rear of the property

The adopted Residential Layout Guidelines, advises in paragraph 6 that external access should be provided from the front to the rear garden of a house. In addition a way through the house should be provided avoiding habitable rooms. In this case, the main garden is located at the front of the dwelling

which faces Henry Gardens, the proposal states a 1.8m close board fence will be installed along the front boundary and there will be no rear garden.

External space standards (existing dwelling)

The existing dwelling, no 15, is a three bedroomed dwelling. As indicated above the Residential Layout Standards set out minimum space standards for private garden areas, requiring a minimum garden depth of 10m and garden area of 60m² for three bedroom dwellings. The proposal will meet the minimum standards for the existing dwelling as the garden will have a depth of 10m and a minimum area of 74.5m².

External space standards (proposed dwelling)

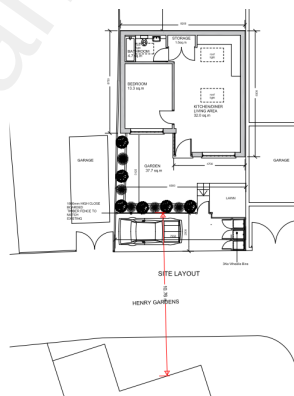
The Residential Layout Standards set out minimum space standards for private garden areas, requiring a minimum garden depth of 7.6m and garden area of 37.2m² for one bedroom dwellings. This is considered sufficient to provide adequate space for outside storage, clothes drying facilities and for leisure and play space. In this case (excluding the path to the front door and parking area as indicated in the Guidelines), the garden has a depth of 5.3m and a useable private garden area of 25m² which falls well below the minimum standard. Such an area would provide very limited play and leisure space and space for drying clothes for future occupants.

Overlooking

In terms of the impact on neighbouring privacy, given the proposed internal layout and the location of the proposed windows and those existing in neighbouring properties either side the proposal will not reduce the privacy of these existing occupants, however the adopted Residential Layout Guidelines states:

“A minimum distance of 21 metres shall be provided between the windows of habitable rooms and the private garden area of any dwelling. A private garden area is defined as the first five metres of garden adjacent to the rear of the dwelling”

Whilst it is accepted the garden is not located to the rear of the house, this would still apply to a main garden if it is in the front of a property and despite the 1.8m high close boarded fencing this arrangement offers limited private amenity space for future occupants and the property located in the opposite Henry Gardens.



Overshadowing (neighbouring properties)

The proposed bungalow will be located due south of the existing dwelling, no 15. Using the 25° rule of thumb, the proposed new bungalow will not obstruct the rear windows of the existing dwelling and as such the occupants of the existing dwelling are unlikely to experience reduced sunlight and daylight. However, given the location of the proposed dwelling the rear garden to no 15 is likely to experience some overshadowing however this is not deemed to be so harmful given the limited height of the building.

In regard to the occupants of the neighbouring properties, it is not considered that they will experience reduced daylight and sunlight levels within nos 13 or 17 Harden Road, given the location, height and width

of the proposed dwelling. However, there is likely to be a loss of sunlight to the garden areas of these properties.

In the light of the above, while the proposed development will provide adequate living accommodation for future residents, the amount private amenity space for future occupants will be poor and lack privacy. The proposal will also adversely impact on the amenity of neighbouring properties. The rear garden areas of neighbouring properties will be overshadowed at various times during the day as the result of the width and location of the proposed dwelling. As such it is concluded that the proposal represents overdevelopment of the site and will harm the residential amenity of the neighbouring properties in Harden Road & Henry Gardens and the future occupants of the new bungalow, contrary to the adopted Residential Layout Guidelines and Core Strategy policy CS19 (Development and Design Principles).

Parking and Highways

As this proposal involves the creation of a new dwelling there will inevitably be an increase in traffic movements and a greater demand for parking at the property. Vehicle parking standards would suggest that one car parking space (Interim Guidance Note 3 of the Kent Design Guide, Residential Parking) and one secure cycle parking space (SPG4) is required for the new dwelling, the submitted plans indicate a single parking space and no cycle store. The proposal also shows the provision of a parking space in the front garden of the host dwelling.

Policy CS11 seeks to ensure that new development mitigates its impact on the highway and that sufficient parking is provided in accordance with adopted parking standards, reflecting the availability of public transport provision and the accessibility of local services and facilities. This provides some flexibility in areas of high accessibility where compliance with the vehicle parking standards cannot be achieved.

In the event of the application being supported details of refuse storage arrangements would be secured by a condition.

The proposed parking spaces as per the highway's officer's comments are insufficient and do not comply with guidance as the spaces lack adequate size and the spaces are liable to pose a danger to other road users due to the limited visibility arising from the siting of the spaces. The proposal is therefore contrary to saved Local Plan First Review policy P3 and the Gravesham Local Plan Core Strategy 2014, policy CS11, which requires the provision of sufficient off street parking in accordance with KCC Vehicle Parking Standards and Local Plan First Review policy T5 which seeks to ensure that new accesses do not cause danger to other road users.

Thames Estuary and Marshes Ramsar and Special Protection Area

6.6 Ecology and Biodiversity

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council has decided to impose a tariff on new housing development. Developers will need to pay £275.88 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds. . The applicant has made a payment of £239.61 which is the incorrect amount and should permission be

forthcoming then the applicant will need to pay the difference before a decision is issued.

Any Other Material Planning Considerations

Climate Change

Core Strategy Policy CS18 sets out the requirements for dealing with sustainable drainage and surface water run-off. No details have been provided at this stage but if this application was supported this detail could be secured by means of a condition.

Trees

There are currently three trees of significance within the existing rear garden and one on the adjoining plot to the east (no 13 Harden Road) however they are not protected by a Tree Preservation Order and as such they could be removed at any time. In terms of the concerns raised about the neighbouring tree, it is not possible to assess the impact of the proposal on it in the absence of an arboricultural report. If this application were to be supported, such a report would be requested, alongside a landscaping scheme.

Conclusion

In the light of the above, it is recognised that the proposal would make a limited contribution to the local need for housing. However, while the applicant has tried to address the concerns raised in the 2018 application, by reducing the height of the dwelling this has been insufficient to overcome the wider concerns in respect of the scale and bulk of the proposal on the character and pattern of development found at the rear of properties in Harden Road. The proposal remains a prominent and intrusive feature which will dominate the outlook from neighbouring properties and will not integrate well into the surrounding area. In addition concerns remain about the impact of the proposal on the neighbouring amenity and amenity of existing and future residents and the lack of off street parking provision. As such the proposal is contrary to Core Strategy policies CS11 (Transport) and CS19 (Development and Design Principles) as well as Local Plan First Review saved policies T5 and P3.

Recommendation

Refusal

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

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	22 nd July 2022	Dated:	22 July 2022