

Delegated Report

Householder Planning Application

Planning Application No: 20221200

Location: Elm Hollow Old Road East Gravesend Kent

Description: Retention of an existing outbuilding

Applicant: Mrs Sukhjit Kaur

Site Visit Date: 23 December 2022

Submitted Documents/Plans

- Application form;
- Drawing no. 001 Rev. A – Site Location Plans; Block Plan;
- Drawing no. 002 Rev. A – Existing and Proposed Plans and Elevations.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220699	Erection of a single storey rear extension.	Permitted	07.12.2022

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- 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)

- 2 – Achieving Sustainable Development

- 12 – Achieving sustainable development and well-designed 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

None.

Neighbouring properties

12 surrounding properties were consulted with an overall consultation expiry date of 30 November – four responses received the comments of which can be summarised as follows:

Design

- Building too tall, too wide and too long;

Neighbour Impact

- Building is so large it blocks light;
- Before the building was constructed the sun came in their kitchen but now it is impossible as covers their kitchen windows;
- Don't want to move from their house but if building is allowed to stay then they will need to move as they do not want to look at wall from their windows and pay more electric etc.
- Impossible to enjoy their light and sunshine;
- There is not a 2m gap between them and the building

Landscaping

- Should be pulled down, long standing trees and bushes were felled to allow room for it;

Use

- States it is for an office in one place and then in another document that it is to provide ancillary accommodation to the house – there seems to be an existing outbuilding/garage being used for this purpose;
- If it is going to be used to house people, is there consideration to provide extra parking as there is no on road parking in Old Road East;

Unauthorised nature of the development

- Development went up without permission and no regard to neighbours or planning legislation;

Other

- Application for extension to house also – not sure if this would have any knock on effect to the size allowed for extensions or parking etc;

Officer's Analysis

Design, Character and Appearance

The host dwelling is a large two storey detached property. The outbuilding has been located to the south-

east of the dwelling next to the eastern boundary of the site. The building has been part constructed - the shell of the building is up but work has stopped following the Planning Enforcement team advising the applicant that planning permission is required; this application for retention of the outbuilding has subsequently been submitted.

The outbuilding as finished will be 8m in width, 4m in depth and 2.8m in height to the top of the flat roof. It will have bi-folding doors in and two long vertical windows in the front west elevation and no openings in the north, east or south elevations. It will be faced in brown cladding with black uPVC windows.

Elm Hollow is a large detached dwelling in a fairly spacious plot; the footprint of the outbuilding at 32 sq. m is considered to be subservient to the footprint of the host building which is some 53 sq. m. Its height being only single storey and 2.8m overall to the top of the flat roof is also considered to be subservient to the host dwelling. Although it located against the eastern boundary of the site, it does not extend along the whole of the eastern boundary and there would still be sufficient garden space surrounding the dwelling such that the plot would not look cramped at all with the addition of the outbuilding in the garden. It would be faced in brown cladding which is considered a sympathetic appearance and would not appear overly prominent in the streetscene when viewed from outside the site.

Overall in respect of design, character and appearance the proposal is considered to be a subordinate addition to the host building and would not impact on the surrounding area and in this regard the proposal is considered to be compliant with Policy CS19 (LPCS).

Amenity of Occupiers

With the outbuilding, the property would still retain a garden area and rear garden depth which far exceeds the minimum garden area and depth as set out in SPG2 even with the construction of the single storey rear extension also which has been permitted under ref. 20220699 and therefore in respect of the amenity of occupiers the proposal is therefore compliant with Policy CS19 (LPCS).

Neighbouring Amenity

The only property which the outbuilding is near to and which the impact on needs to be assessed is no. 99 Old Road East. This is a two storey end of terrace dwelling with a single storey extension and conservatory at the rear. The outbuilding is constructed for the most part against the flank elevation of no. 99. It does project slightly beyond the rear of no. 99 by extending beyond one and a half of the glazed panels in the side of the conservatory at the part closest to the rear elevation of no. 99 but it would not extend beyond the rest of the windows in the conservatory. There is a window in the flank elevation of the extension but given this kitchen window is now 'internal' as it has been enclosed by the conservatory, it would receive very poor levels of natural daylight and sunlight already and the outbuilding would therefore not cause any material impact on light to that window. There would be no overlooking as all openings would be in the west elevation facing into the applicant's own garden, it would be prudent to condition, if permission is forthcoming, that no new openings in the north or east elevations in order to protect the amenity of the no. 99 Old Road East.

The outbuilding is shown to be faced with brown cladding including on the rear elevation which would face no. 99. It would be used as a home office which is a use that would not raise any issues regarding noise and disturbance to neighbours.

As such in respect of neighbour amenity the proposal is considered compliant with Policy CS19 (LPCS).

Parking/Highways

The proposal would not add any additional bedrooms or alter the existing parking provision. As such the proposal is compliant with saved Policy P3 (LPFR).

Other

Landscaping/Biodiversity

It is stated in the public comments that trees and bushes were felled to construct the outbuilding. Any such trees were not protected by a Tree Preservation Order and so consent was not required to remove them and so could have been removed at any time whether an outbuilding was being constructed or not. The property still retains a large garden with trees and shrubs in it. Furthermore, it is prudent to note that the applicant could construct an outbuilding up to 2.5m in height without requiring permission (the one constructed is 2.8m and so does need permission). Overall it is considered the proposal is acceptable in respect of landscaping and biodiversity as such is compliant with Policies CS12 and CS19 (LPCS).

Use

The outbuilding would be used as a home office as stated on the plans submitted with the application which a use incidental to the host dwelling. In order to ensure that it would not be used for any primary living accommodation or business purposes etc. it will be necessary to restrict the use via condition.

Any Other Material Planning Considerations

None.

Conclusion

The proposal for retention of the outbuilding is acceptable in terms of design, character and appearance, amenity of occupiers and neighbouring properties, parking and highway safety, landscaping/biodiversity and its use, subject to conditions.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	4th January 2023	Dated:	04 January 2023