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## SUMMARY REPORT

<b>Application Ref:</b>	20220811
<b>Site Address:</b>	76 Pier Road Northfleet Gravesend Kent
<b>Application Description:</b>	Erection of a single storey rear extension.
<b>Applicant:</b>	Mr Withney Williams
<b>Agent:</b>	Mr Patrick Coakley, C4 Design Ltd
<b>Ward:</b>	Pelham
<b>Parish:</b>	Non-Parish Area
<b>Decision due date:</b>	20 September 2022
<b>Publicity expiry date:</b>	23 August 2022
<b>Decision Level:</b>	Planning Committee – Wednesday 26 <sup>th</sup> November 2022
<b>Reason for referral:</b>	Councillor Call-In
<b>Recommendation:</b>	Permission

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### **Summary of Reasons for Recommendations**

The proposal is for the erection of a single storey rear extension.

The proposed development is considered to be an acceptable addition to this single residential dwelling that would not have an adverse impact on the amenity of neighbouring properties or highways and parking. On this basis, the proposed development is deemed to comply with local and national policy, subject to the planning conditions set out in this report and permission is recommended.

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## MAIN REPORT

### 1. Site Description and Surroundings

- 1.1. The application property is a two-storey mid terrace residential dwelling, located in a residential road within the urban area of Northfleet. The area is characterised by similar two storey semi-detached and terraced properties with a row of 4no. semi-detached bungalows to the south. Parking is on-street only.
- 1.2. There are no site specific constraints and as such the principle of development on this site is acceptable.

The below images show the front existing dwelling;



## 2. Planning History

2.1 There is no relevant planning history

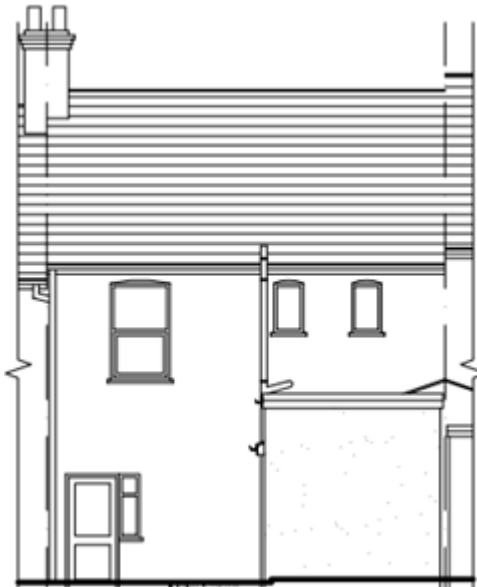
## 3. Proposal

3.1. The proposal is for a single storey rear extension that would project 5.5m from the existing single storey kitchen projection, have a width of 2.85m wide and 2.98m high with a flat roof. Although not included in the formal description, the submitted plans show the removal of the existing smaller rear projection and the conservatory.

*Existing Rear Elevation*



*Proposed Rear Elevation*



*Existing Side Elevation*



*Proposed Side Elevation*



#### **4. Planning Policy, Development Plan and other Material Considerations**

##### **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)

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

###### Supplementary Planning Guidance

- 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); and
- Householder Extensions/Alterations Design Guide (2021).

## Consultations and Publicity Responses

### Consultations

#### GBC – Private Sector Housing

The Private Sector Housing Team, as the HMO mandatory licencing team have the following consultation comments to relay in accordance with the Teams statutory duties:

To date the Private Sector Housing Team has not been approached in relation to HMO licencing or amenity standard requirements for the proposed development, other than receiving the planning consultation request. It is suggested the applicant revisits the HMO Amenity Standard Guidance [Guidance to HMO Amenity Stand... \(gravesham.gov.uk\)](http://www.gravesham.gov.uk)

Initial observations relating to Drawing No 1082-02PL:

- Proposed Room 3, the main means of escape from this room can not be via the communal kitchen (high risk room). There would need to be an adequate means of escape from the rear of the property, which would take the occupant to a place of safety. Occupants cannot become trapped within the rear garden. If there is a shared alleyway to the rear, access, travel distance and suitability will need to be determined by the Licensing Officer.
- Room 2 will require an operational window. A door alone is not an acceptable form of controllable ventilation and poses a security risk.
- Communal kitchen requires at least 600mm x 2000mm (4-6 persons) of usable worktop
- We trust the bedroom sizes stated exclude the ensuite shower rooms, as ensuites are not considered habitable space.

*Additional required works may become apparent during the licencing process. The list of works items observed is not exhaustive.*

#### GBC – Highways Officer

I note there is a significant amount of objection, although primarily it appears to come from a single household and concentrates on car parking as a major issue.

Looking at the adopted supplementary guidance regarding car parking, Gravesham's sets a maximum provision and is no longer representative of the National Planning Policy Framework. Kent County Council is the Highway Authority and has guidance that is more recent although it still sets maximum provision for centre and edge of centre development.

In this instance considering the column for edge of centre locations, the description includes areas that have on street parking controls, a residents parking scheme and/or there is existing saturation. With a note, stating that reduced or nil provision is acceptable for rented properties, subject to effective tenancy controls. The area only has limited waiting restrictions and although parking bays are marked these have no indication that they are controlled. However, taking account of the Google Street View images, on street parking is in high demand, and given the objections, the street would appear to be at or close to saturation.



## Traffic Orders for Kent

<https://www.kenttraffweb.uk/parking/main.html>

None of the car parking guidance considers HMO's on one hand they could be considered to be a single dwelling occupied by several people, or each bedroom could potentially be considered a flat. Either way with the guidance issued by Kent County Council, this property is located in an edge of centre location so maximum standards apply.

Looking in detail as a single dwelling with four or more bedrooms the difference between parking requirements for a three-bedroom property is half a space, if considering each bedroom as a flat, three bedrooms would create a maximum need for three spaces. Therefore, given current guidance I do not believe it is possible to recommend refusal with a reason that would stand scrutiny at appeal.

However, with three additional bedrooms, three secure cycle parking spaces are required to meet the requirements of SPG4, at the rate of one cycle per bedroom or flat. The problem with this is, any cycle parking at the rear requires the cycles to be wheeled through a communal dining room and kitchen, which makes it unattractive, so ideally cycle storage is required at the front of the property.

#### 4.1. Neighbours

The application was advertised by letters to 4 individual properties with an overall consultation expiry date of 23 August 2022. 21 letters of representation have been received, objecting to the application making the following summarised comments;

- The property will be used as an HMO one planning approval granted
- Would not meet the minimum stipulated Gravesham Borough Council requirements for an HMO
- Lack of application documentation for an HMO
- Use of HMO would put additional pressure on current parking facilities
- Too many HMOs in the area
- Highway safety
- Overdevelopment
- New self-contained unit amounts to infilling
- Noise due to number of occupants
- Loss of a family home
- No parking provision for an HMO
- No refuse provision for HMO
- Garden too small for HMO
- Out of character with the area

4.2. The above comments relate to the possible HMO use of the property with no direct objections to the single storey rear extension. Therefore in terms of this current proposal, there are no objections.

### 5. Planning Analysis and Service Manager (Planning) Comments

#### 5.1. Procedural Issues

This current application has been submitted as a householder application for a single storey rear extension to a property which existing use is as a single residential dwelling.

Whilst it is acknowledged that the proposed floor plans show 6no. bedrooms, 5 with en-suites, laid out over the two floors which lends to the property being used as a small House of Multiple Occupation (HMO), the current application is for a single storey rear extension to a single residential dwelling through a householder planning application and for the purposes of this application, will be assessed as such.

#### 5.2. Character and appearance

The application property is a mid-terrace two storey dwelling and as such, views of the proposed extension would not be visible from public vantage points.

The extension replaces an existing small rear projection and would only project a further 2.74m over the existing projection. The height would be set 230mm lower than the highest point of the existing single storey projection. It would not expand the full width of the property and is considered a modest addition to the property that would not dominate the rear garden area and would be similar to other extensions within the area.

Taking account of all the above, it is considered that the proposal would accord with Policies CS02 and CS19, Section 12 of the NPPF (2021) and paragraph 10.2 of the Householder Extensions/Alterations Design Guide (2021).

### 5.3. Amenity

#### *Impact on Future Occupiers*

The NPPF (2021) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The proposed development would not have a detrimental impact on the living space of the main dwelling and as such accords with Policy CS19 (LPCS).

#### *Impact on neighbouring properties*

The impact on neighbouring properties is considered with regard to criteria specified within Policy CS19, which states new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land.

The proposed extension would only project 2.74m beyond the rear projection of the adjoining property which shares the common boundary, being No. 77 Pier Road. Being a single storey rear extension with a modest height of 2.98m, there would be no loss of outlook. Looking at the orientation of the property, shadow cast by the proposed extension would be over the host dwellings rear garden.

Taking the above into account, it is considered the proposal would not result in loss of light, privacy, outlook or increased overshadowing. As such the development is in accordance with Policy CS19 (LPCS) in respect of the living conditions for future occupiers and neighbouring properties.

### 5.4. Parking and Highways

The property does not benefit from any off road parking and the proposed plans show the extension to be used as an additional bedroom.

The differences between the parking requirements between a 3 bedroom property and a 4 bedroom is only half a space. Taking into consideration the location of the property within close proximity to London Road which has direct bus route, together with local shops within a short walking distance, there are no objections in this regard.

In respect of parking and highway safety, the proposal is considered to accord with Policy CS11 (LPCS) and Saved Policy P3 (LPFR).

### 5.5. HMO (House in Multiple Occupation)

As mentioned previously in the report, the proposed plans suggest that the proposed development may be to assist in the use of the property as a House in Multiple Occupation (HMO). As set out by Gravesham Private Housing, the layout as shown would not conform to HMO standards. Whilst this is not a consideration for this application, should the extension be utilised as part of a HMO moving forward, it could result in further parking issues on Pier Road. In addition to this, the extension should it be a bedroom in connection with a HMO, would need to be subjected to a Habitats Regulations Assessment to ascertain the impact of the proposal upon European Sites protected by the Conservation of Habitats and Species Regulations 2017 as amended.

In light of the above matters it would be appropriate to remove the property's permitted development rights, so that prior to utilising the property as a HMO currently allowed for under Permitted Development Rights, the applicant would need to seek planning permission from the Local Planning Authority, should this application be permitted and implemented. The proposed condition (four) meets the requirements of paragraph 56 of the NPPF (2021).

For the avoidance of doubt the use of the property as Large HMO (seven or more people sharing facilities) is a Sui Generis use and planning permission would be required.

## 6. Conclusion

- 6.1. The proposal is a sustainable form of development that accords with local and national planning policy and as such, the application is therefore recommended for approval subject to conditions and informatives.

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## Recommendation

The recommendation is for the application to be GRANTED Planning Permission, subject to the following conditions:

### *Time Limit*

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### *Approved Plans*

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Planning Application Form;  
Drawing No. 1082-OS-EX – OS Map As Existing;  
Drawing No. 1082-BP-EXIST – Block Plan As Existing;  
Drawing No. 1082-BP-PROP – Block Plan As Proposed;  
Drawing No. 1082-01PL – Plans and Elevations As Existing; and  
Drawing No. 1082-02PL – Plans and Elevations As Proposed.

Reason For the avoidance of doubt and in the interests of proper planning.

### *Materials*

3. Notwithstanding the details included on the application form and approved plans the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.



Reason To maintain the character and appearance of the building and to ensure a satisfactory visual relationship between the existing and new development in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

*Removal of PD Rights (HMO)*

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), the extension herein approved shall remain in use with the rest of the house as a single family dwellinghouse falling within Class C3 (a) and (b) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) and no change of use to C3 (c) or C4 shall be carried out.

Reason To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

**INFORMATIVES:-**

**DEVIATION FROM APPROVED PLANS**

**BUILDING REGULATIONS AND PARTY WALL ACT**

**STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION- TAKING**