



PLANNING, DESIGN & ACCESS STATEMENT

PROPOSAL: ERECTION OF TWO STOREY SIDE, AND SINGLE STOREY FRONT AND REAR EXTENSIONS TO CREATE A NEW DWELLING (RESUBMISSION FOLLOWING DISMISSAL OF APPEAL REF APP/K2230/W/24/3339619)

AT

1 Gabriel Gardens, Gravesend, Kent, DA12 4QD

February 2025

RJS PLANNING

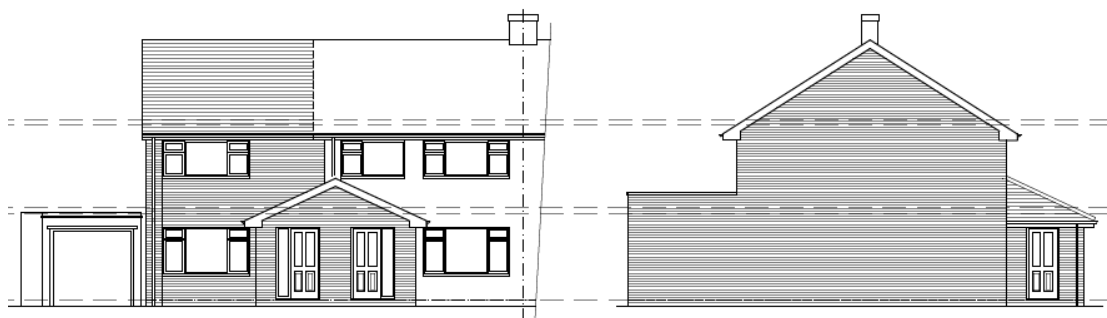
T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk
RJS Planning. 15 Vale Court, Ealing Road, Brentford, TW8 0LN

1.0 INTRODUCTION

- 1.1 This statement has been prepared by RJS Planning, on behalf of Mr and Mrs Usher in support of a planning application for the erection of a two storey side, and single storey front and rear extensions to create a new dwelling at no. 1 Gabriel Gardens in Gravesend, Kent.
- 1.2 The scheme follows the council's decision to refuse application 20230957 for '*Erection of part two storey and part single storey side, front and rear extension to create a new dwelling; erection of two storey front extension to existing dwelling, formation of one car parking space in the front garden and formation of vehicle access to existing parking area*' on 14th November 2023 and the subsequent dismissal of appeal APP/K2230/W/24/3339619 on 22nd November 2024.
- 1.3 Considering the abovementioned planning history, the scheme has been revised to address issues relating to the effect of the proposed development on the character of the area; and the effect upon the living conditions of neighbouring occupiers.



Refused scheme



Current proposal

- 1.4 The following statement will seek to demonstrate that the proposal meets the objectives of the National Planning Policy Framework (2024), Gravesham Local Plan Core Strategy (September 2014), Gravesham Local Plan (1994), the Residential Layout Guidelines (2020) and the Gravesham Landscape Character Assessment (2009).

RJS PLANNING

T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk
RJS Planning. 15 Vale Court, Ealing Road, Brentford, TW8 0LN

2.0 THE SITE

- 2.1 The application site is located to the eastern side of Gabriel Gardens within the urban area of Gravesham. The site is not within a conservation area or the curtilage of a listed building.



Application site and surrounding area

- 2.2 The site comprises a two-storey, end of terrace dwelling which is set on a relatively large plot with curtilage to the front, side and rear.



Application site

RJS PLANNING

T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk
RJS Planning. 15 Vale Court, Ealing Road, Brentford, TW8 0LN

3.0 THE PROPOSED DEVELOPMENT

- 3.1 This application seeks planning permission for the erection of a two storey side, and single storey front and rear extensions to create a new dwelling at no. 1 Gabriel Gardens.
- 3.2 The site is 354sqm and would be subdivided to create a plot of 220sqm for the new dwelling.
- 3.3 The two-storey dwelling will measure approximately 5m wide x 7.4m deep with an additional 3m deep, full width, single storey rear extension. A single storey front porch with pitched roof will be constructed which spans both the new and existing properties that has an overall width of 4.5m and a projection of 2m.
- 3.4 A dual pitched roof with gable end design is proposed and the eaves and ridge height will match the host property. Additionally, the door and windows would follow the position, scale, and pattern of openings on the host terrace.
- 3.5 The scheme would create a 2-bedroom dwelling with a GIA of approximately 77sqm with accommodation set over two floors comprising:
- Ground floor: Entrance porch, hallway, open plan lounge/dining room/kitchen, WC and understairs storage.
- First floor: 1x double bedroom with in-built storage, 1x single bedroom and a family bathroom.
- 3.6 Externally a rear garden of 48sqm would be retained for the host dwelling and a garden of 92sqm provided for the new property.
- 3.7 Two parking spaces would be retained to the front of the existing dwelling whilst a new parking space would be created to the front of the proposed dwelling which would also be allocated the existing garage space which is located on the opposite side of Gabriel Gardens. Access would be via an existing dropped kerb.
- 3.8 Cycle and bin storage would be provided in the rear garden of the new dwelling where access is available via a side gate from an existing alley.
- 3.9 All work would be completed in high quality materials which match the host building to ensure a cohesive appearance.

4.0 RELEVANT PLANNING POLICY

- 4.1 The following paragraphs provide a brief summary of the relevant national, regional and local planning policies. The paragraphs are in a hierarchical order relative to national and local planning policy.

National Planning Policy Framework (NPPF) (2024)

- 4.2 The NPPF sets out the Government's planning policies for England and how these are expected to be applied.

Presumption in Favour of Sustainable Development

- 4.3 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or
 - 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹.

Decision-making

- 4.4 Paragraph 38 states that Local planning authorities should approach decisions on proposed development in a positive and creative way.

Delivering a sufficient supply of homes

- 4.5 Paragraph 60 explains that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Achieving well-designed places

- 4.6 Section 12 of the NPPF refers to design, with paragraph 131 describing how the Government attaches great importance to the design of the built environment, stating that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*
- 4.7 Paragraph 135 states that planning policies and decisions should ensure that developments:
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Gravesham Local Plan

- 4.8 The Gravesham Local Plan First Review (1994) was replaced by the adopted Local Plan Core Strategy (2014). In September 2007, the Secretary of State issued a direction on policies to be saved and deleted. The policies in the List of Saved Policies (Appendix 1) of the Local Plan Core Strategy 2014 are the remaining operational policies (in part or whole) from the Local Plan First Review 1994. Policies P3 and T1 are considered relevant.

Policy P3: Vehicle Parking Standards

- 4.9 The Borough Council will expect development to make provision for vehicle parking, in accordance with the Kent County Council Vehicle Parking Standards, as interpreted

by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site.

Policy T1: Impact of Development on the Highway Network

- 4.10 The Local Planning and Highway Authorities will consider the impact on the transport system and on the environment of traffic generated by new development and will wish to ensure that all proposed developments are adequately served by the highway network identified on the Proposals Map.

Gravesham Local Plan Core Strategy (2014)

- 4.11 The Local Plan Core Strategy is the main document in the Gravesham Local Plan. Policies CS01, CS02, CS11, CS14, CS15 and CS19 are considered relevant to the case.

Policy CS01: Sustainable Development

- 4.12 Planning applications that accord with the policies in the development plan for Gravesham will be approved without delay, unless material considerations indicate otherwise. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in this Core Strategy. It will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy CS02: Scale and Distribution of Development

- 4.13 The development strategy for the Borough is to retain and improve the existing stock of housing and suitable employment land and to make provision for the Borough's objectively assessed need for at least 6,170 new dwellings delivered at a variable rate as follows; at least 325 dwellings per year for 2011/2012 – 2018/2019, at least 363 dwellings per year for 2019/2020 – 2023/2024, at least 438 dwellings per year 2024/2025 – 2027/2028, and at least 186,490 sq m gross employment floorspace (within use classes B1, B2 and B8) during the plan period.

Policy CS11: Transport

- 4.14 New developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel. Transport assessment work is required to be undertaken in accordance with national and local policy guidance, and to identify detailed highway and public transport network requirements and management arising from the development.

- 4.15 Sufficient parking in new development will be provided in accordance with adopted parking standards which will reflect the availability of alternative means of transport and accessibility to services and facilities.

Policy CS14: Housing Type and Size

- 4.16 The Council will expect new housing development to provide a range of dwelling types and sizes taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities.

Policy CS15: Housing Density

- 4.17 Sites will be developed at a variety of densities, depending on their location and accessibility to public transport. The form and density of housing will vary across the larger sites, in response to accessibility and other characteristics of each part of the site. Variations in density across a site should be used to develop different character areas.

Policy CS19: Development and Design Principles

- 4.18 New development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anticrime standards. The design and construction of new development will incorporate sustainable construction standards and techniques, be adaptable to reflect changing lifestyles, and be resilient to the effects of climate change.

SPG 4 – Kent Vehicle Parking Standards (2006)

- 4.19 The purpose of Supplementary Planning Guidance (SPG) is to supplement the policies and proposals of development plans. It elaborates policies so that they can be better understood and effectively applied. SPG should be clearly cross-referenced to the relevant plan policy or policies, which it supplements and should be the subject of consultation during its preparation. In these circumstances SPG may be taken into account as a material consideration in planning decisions.

5.0 THE PLANNING CASE

Introduction

5.1 This section will demonstrate that the erection of a two storey side, single storey front and rear extensions to create a new dwelling at no. 1 Gabriel Gardens is acceptable.

5.2 As such, the main considerations in the assessment of this application relate to:

- Principle of development
- Design and Impact on the character and appearance of the area
- Living conditions for future occupants
- Impact on neighbour amenity
- Parking and waste storage
- Ecology and biodiversity

Principle of development

5.3 In accordance with the aims of the National Planning Policy Framework (NPPF) the council is committed to the supply of new dwellings and sets out ways in which this can be achieved.

5.4 Section 11 of the NPPF has regard to 'Making effective use of land' and states that *"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions"*.

5.5 According to the Housing Delivery Test 2023, Gravesham Borough Council delivered just 59% of its housing target, a consequence there is a presumption in favour of sustainable development and paragraph 11d) of the NPPF is engaged which states for decision-taking relating to the provision of new housing this means:

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- 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.
- 5.6 Core Strategy policy CS01 (Sustainable Development) states that when considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF and the Core Strategy.
- 5.7 Policy CS02 (Scale and Distribution of Development) sets out the borough's need for new dwellings over the plan period.
- 5.8 Policy CS14 (Housing Type and Size) states that the council will expect new housing development to provide a range of dwelling types and sizes taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities.
- 5.9 The surrounding area comprises a mix of 2, 3 and 4-bedroom properties. The site is within proximity of local schools and facilities, and within relatively easy reach Gravesham Town Centre and thus, is in a sustainable location that is suitable for the 2-bedroom dwelling proposed.
- 5.10 Given the council's significant undersupply in the delivery of housing, the addition of one new dwellinghouse should weigh heavily in favour of the scheme. As such, the principle of development should be supported subject to other material considerations.
- 5.11 The following sections will, therefore, demonstrate that the proposal would also be acceptable in terms of its impact on the character and appearance of the area, the standard of accommodation proposed, the impact on the residential amenities and highways considerations as well as biodiversity.

Design and Impact on the character and appearance of the area

- 5.12 Paragraph 135 of the NPPF states that policies and decision should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and, establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

- 5.13 Local Plan policy CS19 (Development and Design Principles) requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the locally built, historic and natural environment, integrate well with the surrounding local area and take into account the scale, height, building lines and other architectural features of buildings.
- 5.14 Policy CS14 (Housing Type and Size) states that the council will expect new housing development to provide a range of dwelling types and sizes taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities.
- 5.15 Policy CS15 (Housing Density) requires new housing to be developed at a density that achieves good design and does not compromise the distinctive character of the local area. In urban areas, residential development should achieve a minimum density of 40 dwellings per hectare. Proposals that fail to make efficient use of land for housing, having regard to the character and location of the area may be refused.
- 5.16 The council refused application 20230957 for the following reason:
1. *The proposed development, by reason of its design, form and appearance, would be an overdevelopment of the application site, which would be incongruous and out of character with the existing building and its surroundings and would be detrimental to the appearance of the street scene. As such, the proposal would be contrary to paragraph 130 of the NPPF 2023 and Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.*
- 5.17 The officer's report expanded on the reason for refusal citing:
- "The proposed development would comprise of large and bulky additions to the side, front and rear of the application building to create a new dwelling and would result in a side elevation that is widely visible in the street scene. The new dwelling would elongate the terrace, with an irregular shaped building, that wraps around the existing garage for no. 3 Gabriel Gardens, providing a blank façade at the entrance to the cul-de-sac and as such, would be incongruous and undermine the character of the existing building, the street scene and the existing pattern of development in the surrounding area."*
- 5.18 The subsequent appeal decision reports that there is a pleasant character and uniformity to the area, and goes on to state at paragraphs 5, 6 and 7:

5. *The front elevation two-storey gable proposed across two properties does not replicate other properties on the street. Existing two-storey gable projections are sited across single dwellings and are therefore narrower than that proposed. Moreover, they do not project outward as far as the double gable projection sought.*
6. *Given the width and projection of the joint front gable, it would result in an uncharacteristic addition to the street scene, appearing at odds with the surrounding built form. Although the proposed development would include matching materials to other properties on the terrace and a consistent ridgeline it would appear as a discordant feature within the street scene.*
7. *The proposed dwelling would be sited on the side and rear garden previously used by the host dwelling and be wrapped around a detached single-storey garage at a close distance. This proposed design would not reflect the other properties on either side of the terrace and would interrupt the established rhythm of development. It would also have the uncharacteristic appearance of an overly cramped form of development on a constrained site. While much of the proposal would not be visible in the wider area, it would nonetheless be visible along much of the street. Therefore, the proposal's design would not be sympathetic to the character and appearance of the immediate area of Gabriel Gardens and would not comprise high-quality design.*

5.19 Taking the aforementioned reasoning into account, the overall scale and bulk of the proposed extensions have been considerably reduced. This careful reconsideration ensures that the development harmoniously integrates with the existing dwelling, terrace group and surroundings.

5.20 Consequently, whereas the previously refused proposal included an expansive two-storey side, front, and rear extensions, as well as a single-storey side/rear extension to create an entirely new dwelling, the revised design adopts a more modest and thoughtful approach. The current proposal envisions a two-storey attached dwelling with just a single-storey rear extension and a single-storey front porch. This refined design strategy significantly diminishes the visual impact and mass of the extensions previously refused.

5.21 While the proposal would still result in the elongation of the terrace group, this has been sensitively designed to respect its existing character and architectural features. The new dwelling will meticulously follow the front and rear building lines, eaves and

ridge heights, window patterns, and material palette of the host property. This attention to detail ensures that the development is not only sympathetic but also a proportionate addition to the street scene. The new dwelling will seamlessly blend into the existing streetscape, enhancing the visual harmony and character of the area.



Refused elevations



Current proposed elevations

RJS PLANNING

T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk
RJS Planning. 15 Vale Court, Ealing Road, Brentford, TW8 0LN



Existing street scene

- 5.22 The proposed density would still be in accordance with the aims of policy CS15 which encourages development within the urban area to be at least 40 dwellings per hectare.
- 5.23 Taking the above information into consideration it is evident that the revised development has overcome earlier objections and would now by virtue of its design, form and appearance, be an appropriate and proportionate addition to the site that would be in keeping with the established pattern of development upon Gabriel Gardens resulting in a positive impact on the street scene.
- 5.24 Therefore, the proposal would comply with the aims of the NPPF and with policies CS14, CS15 and CS19 of the Local Plan which collectively seek a high standard of design that respects local character.

Quality of accommodation

- 5.25 Paragraph 135 f) of the NPPF states the development should *“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*
- 5.26 Local Plan policy CS19 (Development and Design Principles) requires new development to be located and constructed to safeguard the amenity, including

privacy, daylight, and sunlight, of its occupants and those of neighbouring properties and land.

- 5.27 The Technical Housing Standards - Nationally Described Space Standards deals with the internal space within new dwellings. It sets out the gross internal floor areas and dimensions for key parts of the home.
- 5.28 The council's SPG 2 Residential Layout Guidelines (RLG) set out minimum standards for room sizes, circulation space, layout, privacy distances and garden areas. Where proposals are below those minimum floor areas, it will be for the applicant to demonstrate that the rooms are physically capable of accommodating the furniture and fittings normally associated with their use, and that other statutory requirements are complied with.
- 5.29 The Technical Housing Standards sets out at Table 1 the minimum gross internal floor areas and storage.

Table 1 - Minimum gross internal floor areas and storage (m²)

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
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	

- 5.30 SPG 2 sets out the following floor space requirements in relation to individual rooms within a dwellinghouse.

Table 1

Function of room	Floorspace sq.m
Double bedroom	11.2
Single bedroom	6.5
Living room	13.2
Dining room	9.5
Kitchen	7.2
Kitchen/diner	12.0
Lounge/diner	18.0
Bathroom and WC	3.6
Bathroom only	2.8
WC only	1.3

- 5.31 The development would create a 2-bedroom/3-person dwelling over two-storeys with a Gross Internal Area of 77sqm which would exceed the minimum space requirements of 7sqm.

5.32 When assessing the previous application, the council concluded that:

“The proposed internal layout at first floor level would result in bedrooms with irregular shapes, that only just have sufficient floor area, whilst the bathroom and ensuite rooms are large. As such, it is considered that the internal layout has a compromised design, which although not a reason for refusal in itself, could be significantly improved.”

5.33 However, in this case the rooms are regular shaped and of generous proportions to enable easy placement of furniture with adequate circulation space. Regarding the individual rooms the proposed layout comprises:

Ground floor Open plan lounge/dining room/kitchen - 36.44sqm

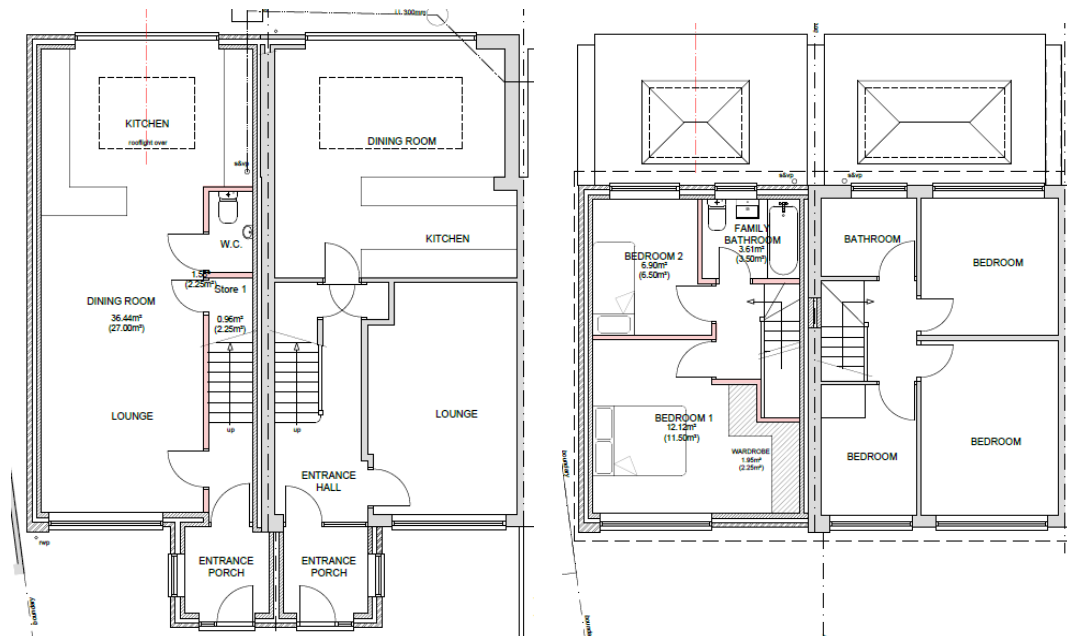
Storage - 0.96sqm

First floor Bedroom 1 - 12.12sqm

Bedroom 2 - 6.9sqm

Family bathroom - 3.61sqm

Built in storage - 1.95sqm



Proposed ground and first floor accommodation

- 5.34 The development would also provide dual aspect accommodation that has an efficient layout which would be comfortable, light, and spacious, and more than adequately meet the needs of future occupants.
- 5.35 Regarding outdoor amenity space the RLG states that new dwellings should have the minimum areas for private amenity space as shown in Table 2. In exceptional circumstances, it may be appropriate for the minimum garden depths and areas referred to be modified. In these cases, each scheme will be considered on its individual merits, having particular regard to any exceptional circumstances and all other material considerations.

Table 2

Accommodation with :	Minimum garden area (sq. metres)	Minimum depth from rear wall of house (metres)
1-2 bedrooms	37.2	7.6
3 bedrooms	60.0	10.0
4 or more bedrooms	100.0	10.0

- 5.36 In this case the garden depth of the host and proposed dwelling would be marginally below 10m. The retained garden for no. 1 would be 49sqm whilst the new dwelling would have a garden of 117sqm.
- 5.37 When assessing the previous application the delegated report confirms (Our emphasis):

*“For a three bedroom dwelling, the RLG require a minimum garden area of 60 square metres and depth of 10 metres. **Whilst the proposed dwelling would have garden that exceeds this area, the existing dwelling would have only 49 square metres of residual garden and both property’s garden depths would be slightly below 10 metres. However, it is noted that the adjacent mid-terrace dwellings have similar sized rear gardens to that proposed for the existing dwelling. As such, it is considered that the small retained garden for the existing dwelling would not be a justifiable ground of refusal in itself** but that it would be preferable for this garden to be made larger.*

*The proposed development would result in the loss of an external access to the rear of the application property, which would be a negative impact on the living conditions of its occupiers and be contrary to the RLG (paragraph 6). However, **it is noted that the existing mid terraced dwellings in Gabriel Gardens do not have an external rear access. As such, this would not significantly undermine the living conditions of future occupiers of the application property.**”*

- 5.38 It should be noted that the properties on Gabriel Gardens do in fact have external rear access, contrary to what is stated within the previous delegated report.
- 5.39 Furthermore, each garden would be of a suitable shape and would provide future occupants with sufficient space to sit out, hang washing and for children's play. In addition, the gardens would be positioned to the eastern side of the terrace and as a result would enjoy good levels of daylight and sunlight.
- 5.40 In terms of privacy and outlook, the proposed dwelling and its associated garden by reason of the position relative to neighbouring properties would not be unreasonably overlooked or be affected by a harmful loss of privacy.
- 5.41 In summary, the proposed development would provide good quality accommodation for future occupants that meets the aims of the NPPF, policy CS19 of the Local Plan, the Technical Housing Standards and the council's SPG 2 Residential Layout Guidelines.

Impact on neighbour amenity

- 5.42 Paragraph 135 f) of the NPPF states that planning policies and decisions should ensure that developments *"create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience"*.
- 5.43 Local Plan policy CS19 (Development and Design Principles) requires new development to be located and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land.
- 5.44 SPG2 provides advice in relation to privacy and overshadowing and seeks to protect the privacy and amenity of the occupiers of existing and proposed dwellings and protect against loss of light and overshadowing from obstructing buildings.
- 5.45 The council refused application 20230957 for the following reason:
2. *The proposed development, by virtue of the inclusion of first floor windows in the rear elevation of the new dwelling and its proximity to the boundaries with no. 2 Judeth Gardens and nos. 133 and 135 Astra Drive, would lead to a detrimental level of overlooking and an unacceptable loss of privacy from those properties. The proposal would therefore be detrimental to the residential amenity of the occupants of no. 2 Judeth Gardens and nos. 133 and 135 Astra Drive*

and be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014, to Paragraph 130(f) of the National Planning Policy Framework (2023) and to the Residential Layout Guidelines (2020).

5.46 The officer's report expanded on the reason for refusal citing:

"The closest residential properties to the application site are nos. 135, 137 and 139 Astra Drive (located to the north), no. 3 Gabriel Gardens (located to the south) and nos. 2 and 4 Judeth Gardens (located to the east). No. 2 Gabriel Gardens and no. 141 Astra Drive are located to the west across the roadway.

The proposed development would introduce a number of new windows, both at the application property and in the new dwelling. The RLG set out that privacy distances between facing windows should be met, in order to prevent overlooking. A privacy distance of 21 metres is required for facing windows where there is no private garden area in between and a privacy distance of 26 metres is required where a private garden is within the field of view.

For the proposed dwelling, the rear windows would face no. 2 Judeth Gardens across a private garden. The bathroom and en-suite windows could be conditioned to be obscure glazed in any planning permission granted, which would preclude any adverse overlooking impacts. However, the window to bedroom 1 would have a privacy distance of 24 metres and would cause an adverse overlooking impact to the occupiers of no. 2 Judeth Gardens.

The proposed window to bedroom 1 would also face the rear gardens and elevations of nos. 133 and 135 Astra Drive, with 24 and 17 metres privacy distances respectively. Although the view would be slightly oblique, the required privacy distance would not be met for either dwelling and overlooking would occur. It is noted that no. 135 Astra Drive has a two storey rear extension with first floor windows and dormer windows that would face the proposed window. Therefore, the proposed development would cause adverse overlooking impacts to the occupiers of nos. 133 and 135 Astra Drive.

The proposed rear ground floor windows would be screened by boundary treatments and the front ground floor window would be to a non-habitable room (porch). The proposed bedroom 3 window would face no. 2 Gabriel

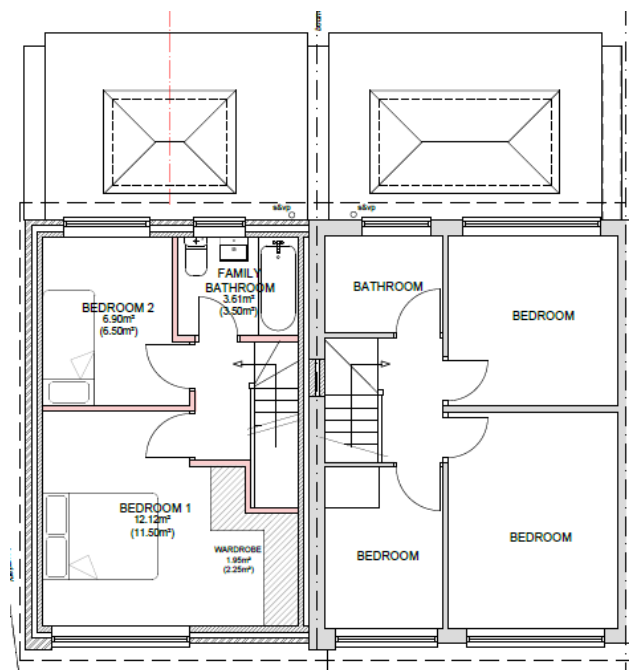
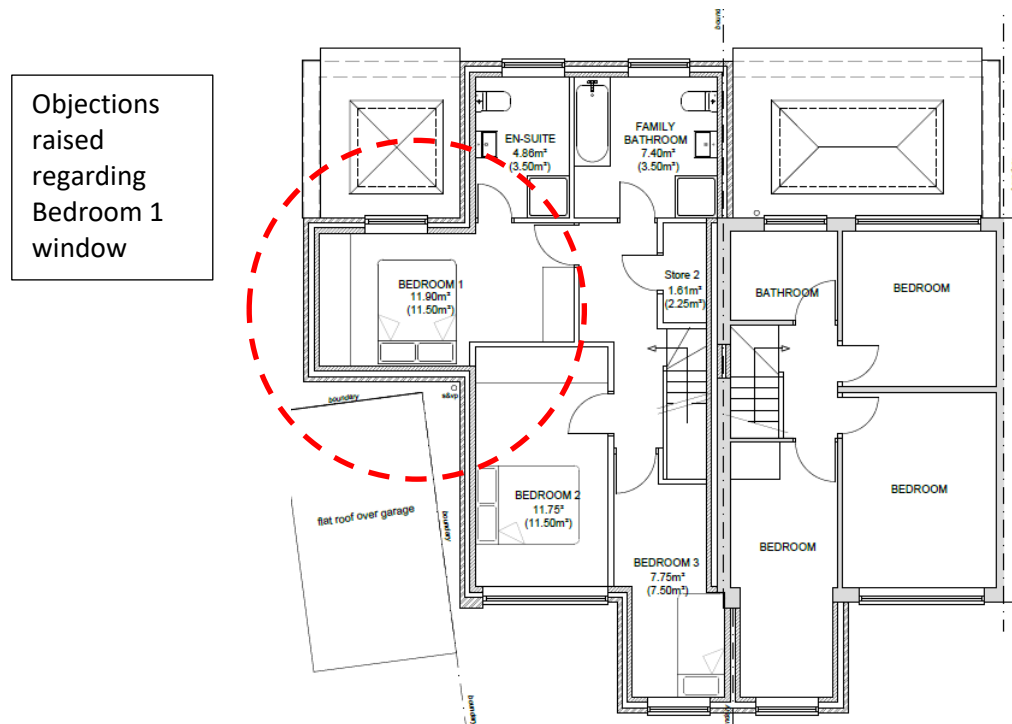
Gardens with no private garden in between and have a privacy distance of 24 metres. As such, there would be no adverse overlooking impacts.

The proposed window to bedroom 2 would face the side garden area of no. 2 Gabriel Gardens and the rear garden area of no. 141 Astra Drive. The privacy distances would be 26 metres and 18 metres respectively. However, it is noted that an outbuilding at no. 141 provides some screening and the view from the proposed window would be oblique. Therefore, there would be no adverse overlooking impact."

5.47 The subsequent appeal decision reports at paragraphs 10, 11 and 12:

10. *Policy CS19 of the GSP requires new residential development to accord with the adopted Residential Layout Guidelines SPG1. As a result of a private garden area being within the field of view, the SPG specifies a minimum distance of 26 metres to safeguard privacy. The Council does not object to first-floor windows serving an en-suite and bathroom as they would be conditioned to be obscurely glazed. However, the window serving bedroom one would overlook several surrounding properties.*
11. *Some mutual overlooking of gardens is common in residential settings, including in the area around the appeal site. Nonetheless, the separation distance to 133 and 135 Astra Drive would only be 24 and 17 metres, respectively, which falls below the distance required in the SPG. While the appellant states that these views would be oblique, no detailed plans have been provided to show that this would be the case.*
12. *There is also a dispute between the main parties as to whether the required separation distance would be met between the proposed dwelling and 2 Judith Gardens. Whilst the appellant contends that the 26 metre distance is met, there is no substantive evidence to conclude this would be achieved. The picture provided within the appellant's statement does not contain distance measurements and appears to be set back further than the proposed first-floor rear window serving the bedroom. In view of these distances, less than the optimum standard of privacy at the rear would be achieved. Unacceptable overlooking towards neighbouring properties and gardens would occur as a result.*

- 5.48 Taking the above comments into account, the scale of the development has been reduced which has removed a projecting two-storey side element which contained first floor Bedroom 1, as shown in the following plan excerpts.



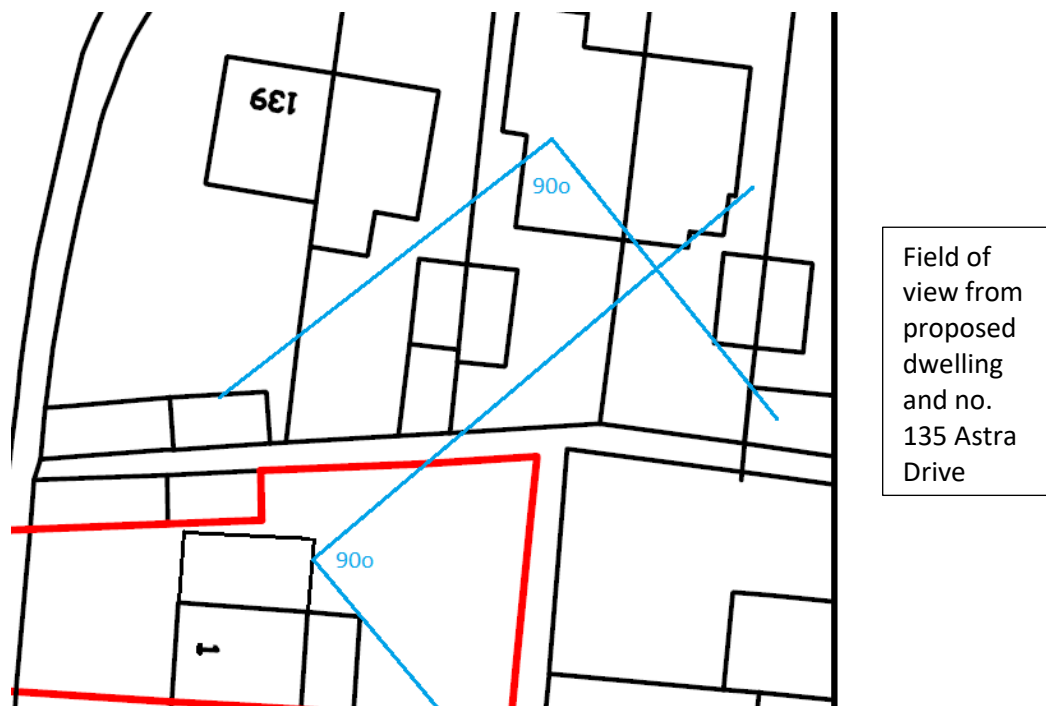
- 5.49 The now proposed rear facing bedroom 2 would maintain the same privacy distances as the host dwelling in relation to dwellings to the rear on Judeth Gardens which we

measure to be approximately 25.85m. Whilst marginally below the guidelines of 26m given the scale of the development and the existing pattern of development this would not result in material harm to occupiers on Judeth Gardens.



Location plan highlighting separation gap between no. 1 and Judeth Gardens

- 5.50 Regarding nos. 133 and 135 Astra Drive, these properties are positioned to the north of the application site. The following plan illustrates the field of view which we consider complies with the guidance set out in the RLG. As such, the development would be acceptable.



- 5.51 Taking the above information into account, the proposed development has now overcome earlier objections and as a result would be a neighbourly form of development that would safeguard the privacy of neighbouring properties from any unacceptable overlooking.
- 5.52 In summary, the proposed development would not result in an unacceptable loss of outlook or privacy, create overbearing impacts, and would not result in a material loss of daylight or sunlight.
- 5.53 Therefore, the development would safeguard the amenities of neighbouring occupiers, and the scheme would comply with the aims of the NPPF, Local Plan policy CS19 and the intent of the council's SPG2 Residential Layout Guidelines.

Parking and Waste Storage

- 5.54 Paragraph 116 of the NPPF states *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*
- 5.55 Local Plan policy CS11 (Transport) states that sufficient parking in new development will be provided in accordance with adopted parking standards which will reflect the availability of alternative means of transport and accessibility to services and facilities.
- 5.56 SPG4 (Kent Vehicle Parking Standards) sets out the council's approach to parking requirements which for residential Class C3 use are:

Maximum Vehicle Parking Standards

Car Parking	
1 bedroom	1 space per dwelling
2 and 3 bedrooms	2 spaces per dwelling
4 or more bedrooms	3 spaces per dwelling
Sheltered Accommodation	1 space per resident warden + 1 space per 2 units
Notes:	1. For 1-bedroom dwellings the parking will usually be provided as communal spaces. For other dwelling sizes part or all of the parking can be provided on a communal basis. 2. The level of car parking provision includes any garages, provided as an integral part of the dwelling or within its curtilage, and/or driveways provided within the curtilage, subject to the preferred sizes set out in Appendix B.

Minimum Cycle Parking Standards

Individual residential dwellings ⁽¹⁾	1 space per bedroom
Flats & maisonettes ⁽²⁾	1 space per unit
Sheltered accommodation ⁽²⁾	1 space per 5 units
Notes:	1. Cycle parking provision should normally be provided within the curtilage of the residential dwelling. Where a garage is provided it should be of a suitable size to accommodate the required cycle parking provision. 2. Parking provision should be provided as a secure communal facility where a suitable alternative is not available.

- 5.57 The previously refused application proposed the addition of a 3-bedroom dwelling to the existing 3-bedroom dwelling, resulting in a total of requirement of four car parking spaces which was provided by 3x spaces within the front curtilage and the existing garage which is located to the opposite side of Gabriel Gardens. In contrast, the current scheme proposes a 2-bedroom dwelling while maintaining the same level of parking provision.
- 5.58 Given that GBC Highways Officer raised no objection to the refused scheme and this current proposal would result in a reduction in bedrooms and occupant numbers, the officer's comments should still apply.
- 5.59 Therefore, the proposal would make sufficient provision for the parking of cars and cycle storage within the application site in accordance with council policy and guidance.
- 5.60 Regarding refuse storage and collection, waste storage areas would be positioned within each rear garden to accommodate:
- Refuse – 1x 180ltr grey bin
 - Recycling – 1x 240ltr grey bin with green lid
 - Food waste – 1x 23ltr black bin with orange lid plus 5ltr caddy
- 5.61 The bins would be easily moved to Gabriel Gardens on collection days via the alleyway to the side of the site which would be compatible with the storage and collection of waste arrangements at neighbouring houses.
- 5.62 In summary, the development would comply with the aims of the NPPF, Local Plan policy CS11 and SPG4 Kent Vehicle Parking Standards.

Biodiversity

- 5.63 The NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment.
- 5.64 Local Plan policy CS12 (Green Infrastructure) states that there will be no net loss of biodiversity in the borough, and opportunities to enhance, restore, re-create, and maintain habitats will be sought. Landscape features such as trees and hedgerows within the urban area are also important as they help to raise the quality of the environment and the quality of people's lives, as well as providing stepping stones and habitats for wildlife. Therefore, it is important that such landscape features within the urban area are retained and enhanced.

5.65 The proposed development would result creation of one new dwelling. A SAMMS tariff payment has been previously made under application 20230957 and thus has mitigated any adverse recreational disturbance impacts.

5.66 In summary, the scheme would comply with the aims of the NPPF and with policy CS12 of the Local Plan.

6.0 CONCLUSION

6.1 The proposed scheme would make efficient use of land and provide a much-needed boost to housing supply in the borough given the council's significant undersupply.

6.2 The proposed dwelling through sensitive redesign has successfully overcome the council's reasons for refusing application 20230957. As a result, the dwelling would present as a high-quality addition to the site that would form a coherent continuation of the existing building line and easily assimilate within the locale without compromising its character.

6.3 The dwelling is designed to offer future occupants a high standard of living that surpasses minimum floor space requirements. It also includes ample external amenity space, all while ensuring that the residential amenities of neighbouring properties remain unaffected.

6.4 In addition, the development would provide sufficient car parking, cycle, and waste storage to meet the needs of any new occupants and the existing dwelling.

6.5 Thus it is stated that the development would accord with the aims of the National Planning Policy Framework, Gravesham Local Plan policies P3 and T1, Gravesham Local Plan Core Strategy policies CS01, CS02, CS11, CS12, CS14, CS15 and CS19, as well as the Technical Housing Standards – Nationally Described Space Standards, the council's SPG 2 Residential Layout Guidelines and Kent's Vehicle Parking Standards SPG4.

6.6 Mindful that the National Planning Policy Framework (NPPF) states that decision-makers at every level should seek to approve applications for sustainable development where possible and that applications should be considered in the context of the presumption in favour of sustainable development, for the above reasons, it is politely requested that this application is granted planning permission at the earliest opportunity with any conditions deemed appropriate to the circumstances of this case.