

Delegated Report

Application No: 20250065

Location: 1 Codrington Gardens Gravesend Kent DA12 5DB

Description: Erection of a self build 2 bedroom house in the side garden of the existing dwelling with associated off road parking.

Applicant: Mr Hardeep Singh

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

The application comprises the following documents and plans:

- Planning application forms.
- Letter dated 13 January 2025.
- Access and Design Statement (January 2025).
- Custom and Self-build Delivery Statement Template.
- Drawing no. 3480 – 003 Rev C - Existing And Proposed Plans And Elevations.

Relevant Planning History

Reference	Description	Decision	Decision Date
20240655	Erection of a two storey side extension and a single storey rear extension with roof light.	Permitted	16.09.2024
20211506	Erection of an attached 2 bedroom house in the side garden of the existing dwelling house and provision of off street car parking.	Refused Appeal dismissed	31.01.2022 21.12.2022
20211121	Erection of an attached 3 bedroom house in the side garden of the existing dwelling house and provision of off street car parking.	Refused	30.11.2021

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.

Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

In this instance the development plan for Gravesham currently comprises: -

- The Gravesham Local Plan Core Strategy (September 2014);
- Remaining Saved Policies of the Local Plan First Review (1994); and
- The Kent Minerals and Waste Local Plan 2013 - 2030 (2016, revised 2020).

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 – Design & Development Principles.

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards.
- T1 – Impact of Development on the Highway Network.

Paragraph 34 of the NPPF (2024) 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 First Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework 2024

- Section 2 – Achieving sustainable development.
- Section 5 – Delivering a sufficient supply of homes.
- Section 9 – Promoting sustainable transport.
- Section 11 – Making effective use of land.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change.
- Section 15 – Conserving and enhancing the natural environment.

- Section 16 – Conserving and enhancing the historic environment

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).
- Design for Gravesham (2024).

Consultations, Publicity and Representations

External

KCC Heritage

The site lies within an area of multi-period archaeological potential. However, based on existing Historic Environment Record data for the area and the relatively limited extent of the proposed works, I consider it unlikely that these proposals would have a significant below ground archaeological impact and have no further comments to make in this case.

KCC Highways and Transportation

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>

Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

Neighbouring properties

Twenty-four surrounding properties were consulted. No representations have been received. The overall consultation date expired on 12 February 2025.

Analysis

The application site lies on the north-western side of Codrington Gardens at its junction with Codrington Crescent. It comprises the side garden of the existing property at no. 1 Codrington Gardens. This property is a two-storey, end of terrace dwelling which can be seen in the following photograph:



The site is located within a predominantly residential area that comprises properties of a similar scale and design to the property at no. 1 Codrington Gardens.

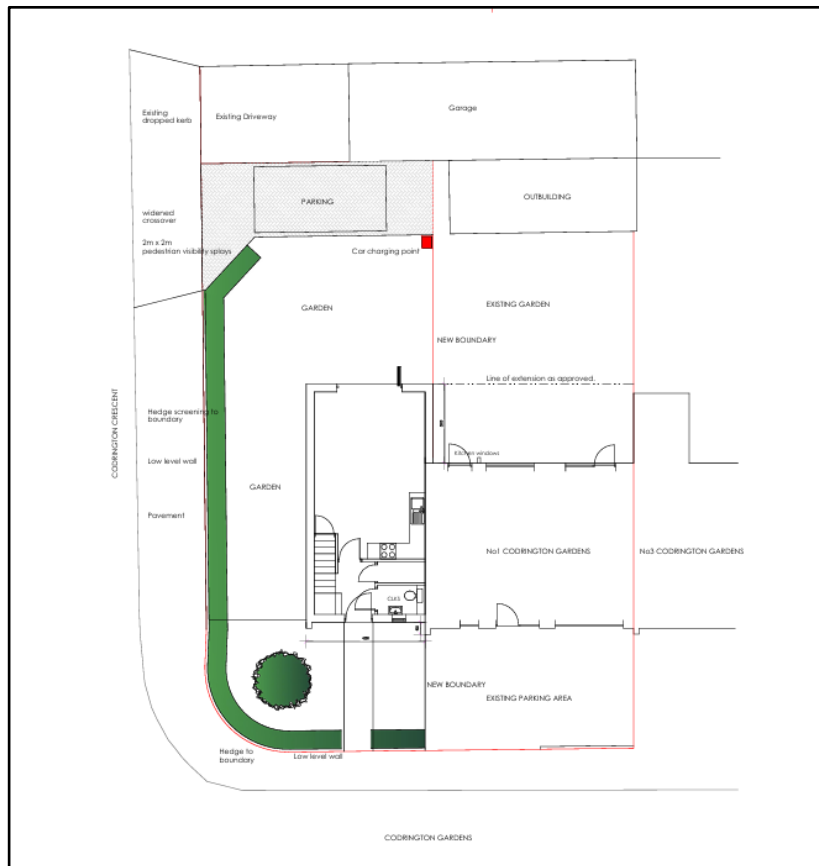
The application site is defined on the Core Strategy Policies Map as lying within the urban area.

This proposal involves the provision of a two-storey dwelling that would be attached to the existing property at no. 1 Codrington Gardens. It would accommodate a lounge/kitchen and wc at ground floor level and two bedrooms and a bathroom at first floor level.

The submitted drawings indicate that the ridge height would be marginally lower than the ridge height of the existing dwelling and the development would be slightly set back from the front elevation of the building. The proposed dwelling has been designed to incorporate a two storey rear projection which extends 3.0m beyond the rear elevation of the adjoining property. The proposed front and rear elevations are shown below:



The submitted block plan, which shows the relationship of the proposed dwelling with the existing property, is reproduced below:



Housing need

Hopkins Homes Ltd v Secretary of State for Communities and Local Government [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that planning applications should be determined in accordance with the development plan. Paragraph 12 of the NPPF expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated,

It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than "guidance" and as such a "material consideration" for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme.

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in March 2023, it demonstrates that based on data up for the period 2022 to 2027, the Council can only demonstrate a land supply of 2.9 years.

Given the Council's current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National

Planning Policy Framework (NPPF) (2024). This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance 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 combination.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest;
- Land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75);
- and areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development it is necessary to assess the proposals against the policies in the NPPF and established local planning policy taken as a whole.

Principle of development

The broad principle of the proposed residential development finds support in the NPPF. Paragraph 61 is particularly relevant:

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, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

In addition, paragraph 73 requires that in order to promote the development of a good mix of sites local planning authorities should, *inter alia*, "support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes"

The application site is defined on the Policies Map of the Gravesham Local Plan Core Strategy as lying within the urban area. Policy CS02 of the Core Strategy "prioritises development in the urban area as a sustainable location for development".

In light of these considerations, there is no objection to the broad principle of residential

development subject to the proposal being appropriate in terms of other planning issues.

Design, character and appearance

At a national level good design is one of the central requirements of the NPPF:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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 (paragraph 131)

The aims set out in paragraph 131 of the NPPF are reflected in Policy CS19 of the Council's Core Strategy. This requires new development to be "visually attractive, fit for purpose and locally distinctive" and to "conserve and enhance the character of the local built, historic and natural environment". It also requires new development to "integrate well with the surrounding local area". In addition, Policy CS19 requires the following:

....the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings.

Design for Gravesham (2024) expands on the Core Strategy, and Policy CS19 in particular to provide additional clarity on what is expected of applicants when submitting design proposals, setting out the minimum requirements to achieve design quality.

It is important to note that this site is subject to three planning applications since 2021, and resulted in two application for new dwellings in the side garden being refused, one of which was also dismissed on appeal, and most recently an approval for a two storey side extension to the host property (not a separate dwelling. In the appeal decision relating to planning application 20211506 for a new dwelling in the side garden, the Planning Inspector commented as follows:

In relation to the street scene along Codrington Gardens the general bulk of the proposal dwelling would maintain the building line and would not appear imposing or out of place viewed against the context of the rest of the terrace. However, I have concerns about the effect on Codrington Crescent. In considering this I note that the other end property, No.2, appears to have been extended to the side and now the gable end is closer to the road than the host property on the appeal site. Even so, the proposed house would extend out beyond the general building line along the eastern side of the street and would appear as a prominent and overbearing addition. The house would appear cramped in its surroundings and would not make a positive contribution to the street scene of Codrington Crescent but would materially harm its character and appearance.

It is acknowledged that the current proposal is narrower in width than the dwelling proposed under planning reference 20211506. However, it would still significantly project beyond the building line along Codrington Crescent, particularly due to the two storey rear projection. As can be seen from the image below, there are no two storey rear projections;



As such it is considered that the development would “appear as a prominent and overbearing addition” and as such would fail to address the previous concerns of the Planning Inspector.

In the previous appeal decision, the Inspector also raised concern that the dwelling “would appear cramped in its surroundings and would not make a positive contribution to the street scene of Codrington Crescent”. The front elevation of the current proposal is narrower in width than that of the dwelling proposed under planning reference 20211506. It is also significantly narrower in width than the existing dwelling at no. 1 Codrington Gardens and indeed other properties within the immediate locality. The narrower width would result in the development appearing cramped compared to its surroundings. Due to its narrower width the new dwelling would also fail to complement the prevailing character of development within this locality.

It is acknowledged that since the determination of the previous appeal, planning permission has been granted for a two-storey side extension and a single storey rear extension (Gravesham planning reference 20240655). This is addressed in the delegated planning report for the extension as follows:

Although the extension will project beyond the established, pre-planned building line within the estate and negatively impact the character of the area, which was a ground of refusal dismissed on appeal, that proposal was for a new dwelling in the side garden and so not directly comparable. The scale of the currently proposed side extension is significantly below that of a dwelling. Moreover, it is noted that the property opposite (no. 2 Codrington Gardens) has extended to the side with a two storey extension.

The following extracts provide a comparison between the approved extension and proposed new dwelling:



The proposed new dwelling is of a larger scale than the approved extension. Furthermore, it has the appearance of a separate dwelling compared to the extension which visually clearly forms an integral addition to the existing dwelling.

For these reasons the approved extension does not provide a justification for overcoming the previous concerns expressed by the Planning Inspector.

In light of these considerations, the proposed dwelling would not be acceptable in terms of its visual impact and would materially harm the character and appearance of the locality. It would therefore fail to meet the tests set out in Section 12 of the NPPF, Policy CS19 of the Core Strategy and Design for Gravesham (2024). It has failed to sufficiently overcome the previous grounds of refusal.

Residential Amenity

Paragraph 135 of the NPPF requires planning decisions to, *inter alia*, provide “a high standard of amenity for existing and future users”. In addition, Policy CS19 of the Core Strategy requires new development to be located, designed and constructed to “safeguard the amenity, including

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

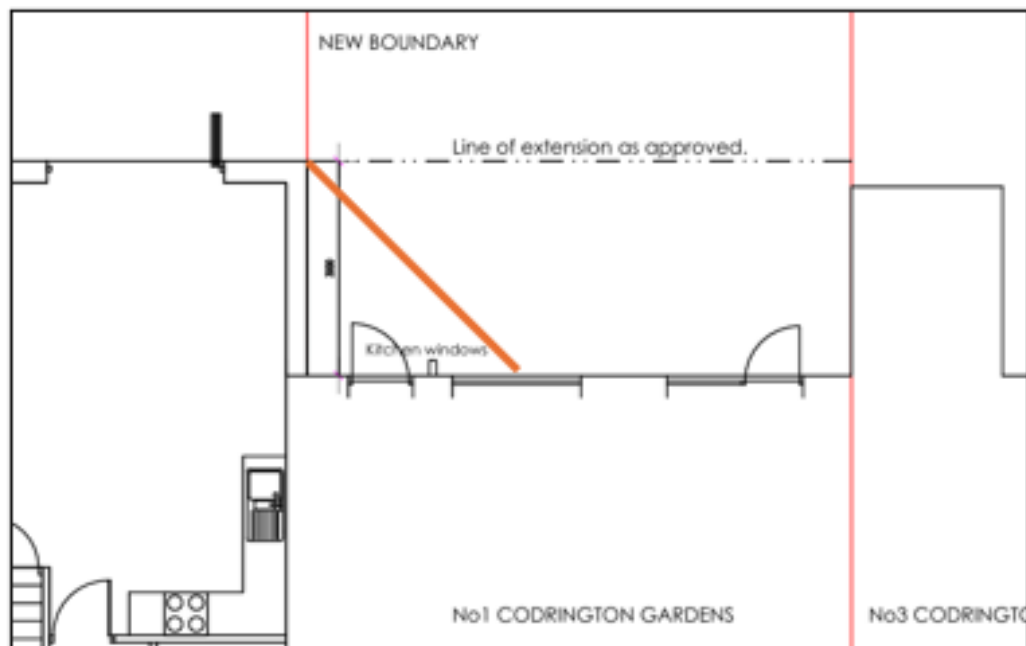
Sunlight and daylight

As the proposed dwelling would be located to the north of the existing dwelling at no. 1 Codrington Gardens, the development would not have a significant impact on this property in terms of loss of sunlight.

With respect to daylight, the BRE document “Site Layout Planning For Daylight and Sunlight” recommends applying the 45 degree approach. With this approach, a significant amount of light is likely to be blocked if the centre of the affected window lies within a 45 degree angle on both plan and elevation.

The only window on the existing property that would be likely to suffer from a loss of daylight would be the ground floor kitchen window on the rear elevation. The following extracts show the application of the 45 degree approach in relation to this window:





In both cases the 45 degree line (drawn in red on both extracts) meets the centre of the window. As such it is considered that the proposal would meet the 45 degree test and that there would not be an unacceptable loss of daylight to this window.

Privacy

The Council's adopted Residential Layout Guidelines require a minimum distance of 21 metres to 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. As such a distance of 26 metres would be required between the rear elevation of the proposed dwelling and the rear elevation of no.64 Wilberforce Way, which lies to the east of the application site.

In the assessment of the previous appeal relating to this site the Inspector assessed this issue as follows:

In terms of overlooking the Council advises that the gap to the rear of the nearest property in Wilberforce Way is 21.5m whereas the present standard in the RLG is 26m. However, given that the housing layout of these streets is long established and a similar distance between properties prevail, I am satisfied that no serious overlooking or loss of privacy would occur which would be out of place with the general locality and that the deficiency does not justify the refusal of the scheme on this ground alone.

However in this particular case, the proposed dwelling projects three metres beyond the rear elevation of the existing property at no. 1 Codrington Gardens. This would result in a reduction in distance from the previously refused application, to approximately 18.5 metres between the proposed dwelling and the rear elevation of no.64 Wilberforce Way. This would be 3.0m less than the distance relating to the appeal proposal and 7.5m less than the minimum distance set out in the Council's adopted Residential Layout Guidelines.

In these circumstances it is considered that the proposed development would result in a significant loss of privacy to the occupiers of no.64 Wilberforce Way.

Outlook

The proposed dwelling would project 3.0m beyond the rear elevation of the existing dwelling. It would also be located on the boundary with this property. Due to the siting, height and scale of this element of the proposed dwelling it would appear visually overbearing and imposing. It would dominate outlook from the ground floor kitchen window as well as from the rear garden area. This would result in an unacceptable loss of amenity to the occupiers of no. 1 Codrington Gardens and considered an unneighbourly form of development.

Internal space standards

The “Technical housing standards – nationally described space standard” was published by the Department for Communities and Local Government in March 2015. This document sets out requirements for the gross internal area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.

The proposed dwelling would comprise a two-storey, two-bedroom, three-person dwelling. The required minimum gross internal floor area for such units is 70m². The gross internal floor area of the proposed dwelling would measure 70m² which meets this standard.

The dwelling would also meet the minimum standards for room sizes as set out in the Council’s adopted Residential Layout Guidelines.

Amenity space

The Gravesham Residential Layout Guidelines require a minimum garden area of 37.2m² for a 1-2 bedroom property and a minimum depth of 7.6m. The submitted drawings indicate that although the proposed garden would exceed 37.2m² in area, it would measure just below 6.0m in depth. The proposal would therefore fail to meet the minimum standards for amenity space as set out in the Council’s adopted Residential Layout Guidelines.

Parking and highways

Policy CS11 of the Core Strategy 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. Saved Policy P3 of the Gravesham Local Plan First Review requires development to make provision for vehicle parking in accordance with the Kent County Council Vehicle Parking Standards. These standards require a maximum of two spaces to be provided for dwellings with two and three bedrooms.

The proposed drawings indicate that a hardstanding area to the front of the existing property would provide parking to serve the host dwelling. The proposed dwelling would be served by one parking space accessed via Codrington Crescent. This is very similar to the parking arrangement proposed in the previous appeal proposal. In the consideration of that appeal, the Inspector commented on the issue of highway and pedestrian safety as follows:

In this regard the proposal involves the creation of a new parking space off Codrington Crescent and the widening of the existing access into Codrington Gardens. The Council and the highways authority’s concerns relate to the provision of additional off road parking and visibility splays for a new access. Although the scheme does not show the 2m by 2m splays for the new space proposed off Codrington Crescent as recommended by the highway authority, there is sufficient land to achieve this without materially reducing the extent of the garden for the new property. I am satisfied that an amended plan required by

a condition could achieve an appropriate solution on highway aspects that would not harm highway or pedestrian safety or lead to more parking on the highway /pavements.

Given the close similarities in the parking arrangements between the previous appeal proposal and the current proposal, and in light of the above comments from the Inspector, it would not be reasonable to raise objection on the grounds of highway safety.

Notwithstanding this, if it were to be recommended that permission be granted, it would be necessary to impose a condition requiring the siting of the parking space for the new dwelling to be amended in order to facilitate the required visibility splays (as recommended in the above comments). This is likely to reduce the depth of the garden area. In light of the comments set out above under the sub heading "Amenity space" this would result in the garden area failing to meet the minimum standards for amenity space by an even greater margin.

Recreational Pressures on the Thames Estuary and Marshes Special Protection Area (SPA) and SAMMS

The Thames Estuary and Marshes Special Protection Area (SPA) is classified in accordance with the European Birds Directive which requires Member States to classify sites that are important for bird species listed on Annex 1 of the European Directive, which are rare and/or vulnerable in a European context, and also sites that form a critically important network for birds on migration. It is also listed as a Wetland of International Importance under the Ramsar Convention (Ramsar Site). Studies have shown marked declines in key bird species, particularly in areas that are busiest with recreational activity. Research conducted in 2011 found that additional dwellings were likely to result in additional recreational activity, causing disturbance to protected bird species that over-winter or breed on the SPA and Ramsar Site. The studies found that 75% of recreational visitors to the North Kent coast originate from within 6 km of the SPA boundary and Ramsar Site. The impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European Sites.

The Local Planning Authority has mitigated out the impacts of this on each and every planning application for a new residential development of one or more units within the 6km zone since September 2015 by accepting a Strategic Access Mitigation and Monitoring Strategy (SAMMS) (tariff) payment (currently £328.27 per dwelling) where applicable. This approach is approved by Natural England for all new residential developments. For every planning application for a new dwelling (including new flats), the tariff contributions are secured through a Section 106 legal agreement or unilateral undertaking or if there are no other financial contributions this is secured through a contribution agreement. Where a developer is unwilling to make the SAMMS payment, sufficient evidence is required to be supplied to enable the Council to undertake an Appropriate Assessment to determine that it is unnecessary to mitigate any potential Likely Significant Effect.

The tariff has previously been accepted effectively in lieu of an Appropriate Assessment (AA). However, in a recent Court of Justice European Union (CJEU) ruling this approach was not considered to be valid, as the CJEU considered the first stage to be a screening assessment as to whether the development either alone or in combination, is likely to have significant effects on a designated site without mitigation. In this respect, the CJEU judgement made a distinction between "the plan or project" itself and "measures intended to avoid or reduce the harmful effects of a plan or project on a European site". This means that mitigation measures, which are intended to avoid or reduce effects, should be assessed within the framework of an Appropriate Assessment and that mitigation measures cannot be taken into account at the screening stage.

The applicant has not made the required contribution. On this basis, the proposal would fail to comply with the NPPF, Policy CS12 of the Core Strategy and the requirements of the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain

The applicant has confirmed that the proposed development will be self-built and therefore is exempt from BNG.

Other Issues

The proposal does not make provision for waste and recycling storage and cycle storage to serve the proposed dwelling. Notwithstanding this, if permission were to be granted, the submission of details relating to these issues could be secured by a planning condition.

Conclusion

It is acknowledged that the Council is currently unable to demonstrate a five-year housing supply and as the delivery of housing is substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Policy CS02 of the Core Strategy must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF.

The proposed development for a net increase of one dwelling would offer a limited contribution towards meeting this local need and delivery and, accordingly, adds some weight in support of the application.

However, notwithstanding this a balanced approach has to be taken and it is considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF and established local policy taken as a whole.

In this case the balance is tilted towards refusal for the reasons set out in the recommendation below, while also failing to sufficiently address the previous grounds of refusal.

The proposed dwelling is inappropriate development on a corner plot which disrupts an established building line, particularly by virtue of the two storey rear projection. It would therefore appear as an unduly prominent and overbearing addition. It would also result in a cramped form of development out of keeping with the character of the area. The proposal would therefore be harmful to the character and appearance of the site and the wider locality contrary to Section 12 of the National Planning Policy Framework (2024), Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Design for Gravesham (2024).

The proposal would result in a detrimental impact on the amenities of neighbouring occupiers in terms of loss of privacy and loss of outlook representing an unneighbourly form of development. The development would therefore fail to meet the tests set out in the National Planning Policy Framework (2024) and Policy CS19 of the Gravesham Local Plan Core Strategy (2014) as well as the standards set out in the Council's Residential Layout Guidelines (October 2015, adopted 1996 - amended June 2020).

The proposed development would fail to provide a satisfactory level of residential amenity for future occupiers due to the limited size of the private amenity area. The development would therefore fail to meet the tests set out in the National Planning Policy Framework (2024) and Policy CS19 of the Gravesham Local Plan Core Strategy (2014) as well as the standards set out in the Council's Residential Layout Guidelines (October 2015, adopted 1996 - amended June 2020).

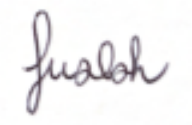
The applicant has failed to provide any ecological evidence to inform a habitat regulations assessment to address the impact of the proposed development on the Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) or offered a financial contribution towards the identified mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to the requirements of the Habitat

Regulations, Section 15 of the National Planning Policy Framework (2024) and Policy CS12 of Gravesham's Local Plan Core Strategy (2014).

Recommendation:

REFUSE PLANNING PERMISSION

See draft Decision

Case Officer: Gary Edwards	Team Leader: Mrs Faye Walsh
Signed: Gary Edwards	Signed: 
Dated: 11/03/2025	Dated: 13 March 2025