

Delegated Report

Planning Application

Planning Application No: 20240589

Location: 377 Singlewell Road, Gravesend, Kent DA11 7RL

Description: Erection of two self build residential dwellings with side annex and outbuildings along with associated parking.

Applicant: Mr Peter Chopra

Site Visit Date: Various

Submitted Documents/Plans

Application form

Drawing no. JC/21/03 rev F (proposed block plan)

Drawing no. JC/21/04 rev B (existing plans)

Drawing no. JC/21/01 rev H (proposed floor plans)

Drawing no. JC/21/02 rev E (proposed elevations)

Relevant Planning History

20220745	Erection of 2no five bedroom houses with outbuildings along with associated parking.	Permitted	07.09.2022
20220360	Erection of 2no five bedroom houses with outbuildings along with associated parking	Refused	06.06.2022
20200918	Retention of a timber framed outbuilding in the rear garden.	Permitted	16.11.2020
20190150	Demolition of existing dwelling and erection of a pair of semi-detached, two storey, five bedroom dwellings, the fifth bedroom being in the roof space; each with attached single garages at the side and relocation of vehicular access onto a classified road. Erection of two brick built buildings to form a storeroom and a gym.	Permitted	09.04.2019
20151016	Demolition of existing dwelling and erection of a pair of semi-detached, two storey, five bedroom dwellings, the fifth bedroom being in the roof space; each with attached single	Permitted	15.03.2016

	garages at the side and relocation of vehicular access onto a classified road. Erection of two brick built buildings to form a storeroom and a gym.		
20130758	Demolition of existing dwelling and erection of a pair of semi-detached, two storey, five bedroom dwellings, the fifth bedroom being in the roof space; each with attached single garages at the side and relocation of vehicular access onto a classified road.	Permitted	13.02.2014
20120615	Demolition of existing dwelling and erection of a pair of two storey, semi-detached, five bedroom dwellings, the fifth bedroom being in the roof space, each with integral garage and relocation of the vehicular access.	Refused	10.09.2012
20120145	Demolition of existing dwelling and erection of a pair of two storey, semi-detached, five bedroom dwellings, the fifth bedroom being in the roofspace; each with attached garage and relocation of the vehicular access.	Permitted	11.04.2012
20110758	Demolition of existing dwelling and erection of a pair of semi-detached, two storey, five room dwellings, the fifth bedroom being in roofspace of each; both with detached garage and relocation of the vehicular access.	Permitted	27.10.2011
20100206	Demolition of existing dwelling and erection of a pair of part two storey part single storey semi-detached six bedroom dwellings each with integral garage and basement.	Refused	31.12.2010
20090961	Demolition of existing dwelling and erection of one pair of four bedroom semi-detached dwellings each with integral garage.	Refused	08.02.2010
19830135	Erection of a two storey extension on the south west side of the building to form an enlarged lounge with two bedrooms over erection of a two storey extension on the north east side to form a granny annexe	Permitted	25.04.1983

with bedroom and bathroom over
and erection of a

19820918	Erection of a two storey extension on the south west side to form enlarged lounge with two bedrooms over the erection of a two storey extension on the north east side to form an enlarged lounge and granny annexe with two bedrooms a bathroom and a hall over	Refused	23.02.1983
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Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of development on Highway Network

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed and beautiful places
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006);

Consultations, Publicity and Representations

Consultees

KCC Archaeology (from previous application)

The site of the proposed development lies within an area of multi-period activity. Investigations for the A2, HS1 and Cyclopark have all revealed extensive occupation, settlement and burial remains from the prehistoric to the present day. The ridgeline, high ground to the south, was clearly a major routeway and is followed closely by Watling Street, one of the major Roman roads. In view of this archaeological potential of the site I recommend the following condition is placed on any forthcoming consent:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that groundworks are observed and items of interest and finds are recorded. The watching brief shall be in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

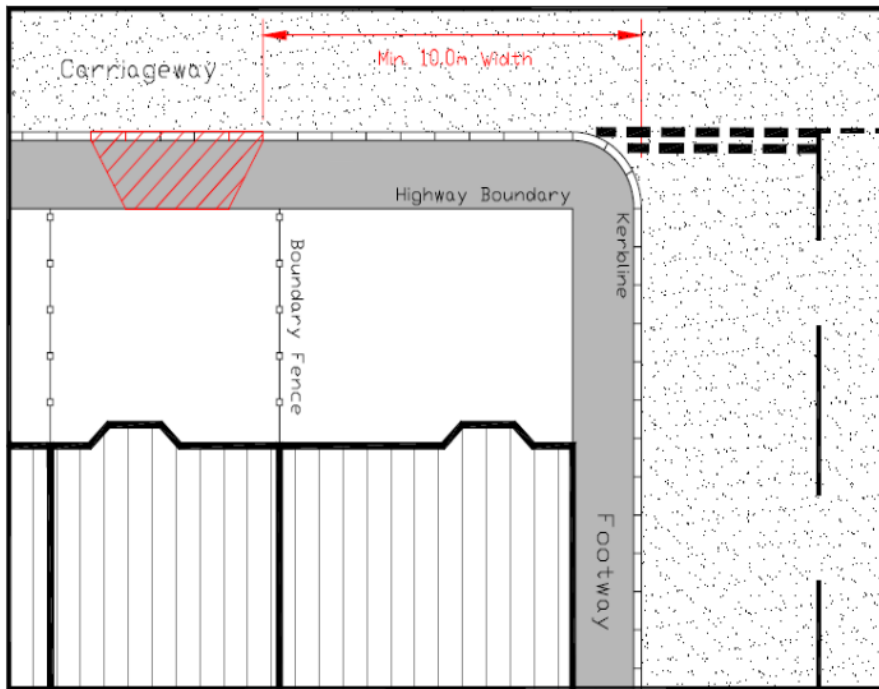
Environmental Protection (from previous application)

Due to the age of the property to be demolished, I would recommend the following condition:

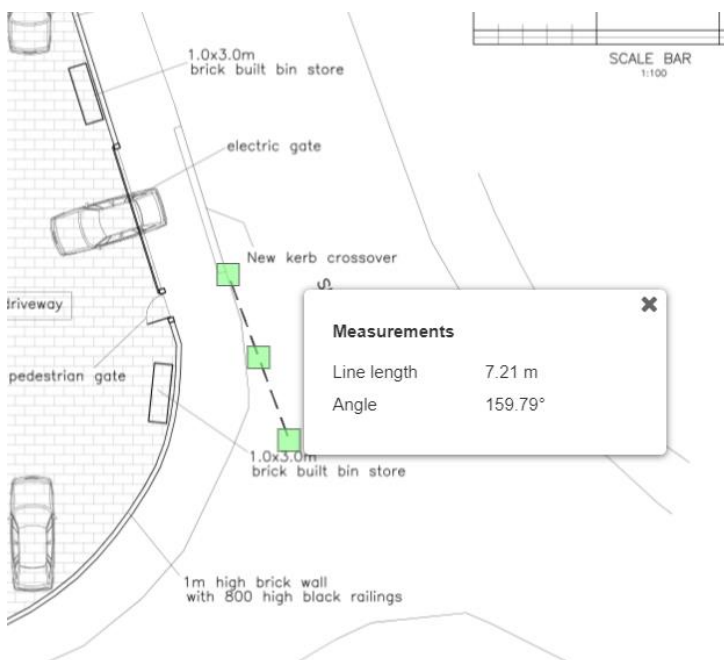
The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Highway Development Management Officer (from 20220745)

This proposal, due to the location of the new carriage crossover, gets an automatic recommendation of refusal. Guidance issued by Kent County Council states that;



https://www.kent.gov.uk/_data/assets/pdf_file/0004/27688/Vehicle-crossing-pre-application-guidance.pdf



Therefore the County Council would not agree to providing a carriage crossover in the position suggested meaning the access to the car parking area cannot be provided.

Singlewell Road has a 'C' road classification and so any new access must comply with the requirements of PGN6 and Manual for Streets in terms of visibility splays. A new access therefore should have 2m x 2m pedestrian visibility splays either side of the access and 43m x 2.4m x 43m vehicular visibility splays, this is measured 2.4 metres back along the centre line of the access from the edge of carriageway and 43metres either side of the centre line measured along the nearside kerbside.

Table 7.1 Derived SSDs for streets (figures rounded).

Speed	Kilometres per hour	16	20	24	25	30	32	40	45	48	50	60
	Miles per hour	10	12	15	16	19	20	25	28	30	31	37
SSD (metres)		9	12	15	16	20	22	31	36	40	43	56
SSD adjusted for bonnet length. See 7.6.4		11	14	17	18	23	25	33	39	43	45	59
		Additional features will be needed to achieve low speeds										

Extract from Manual for Streets

The difference between 2 and 2.4metres is explained by Manual for Streets as follows;

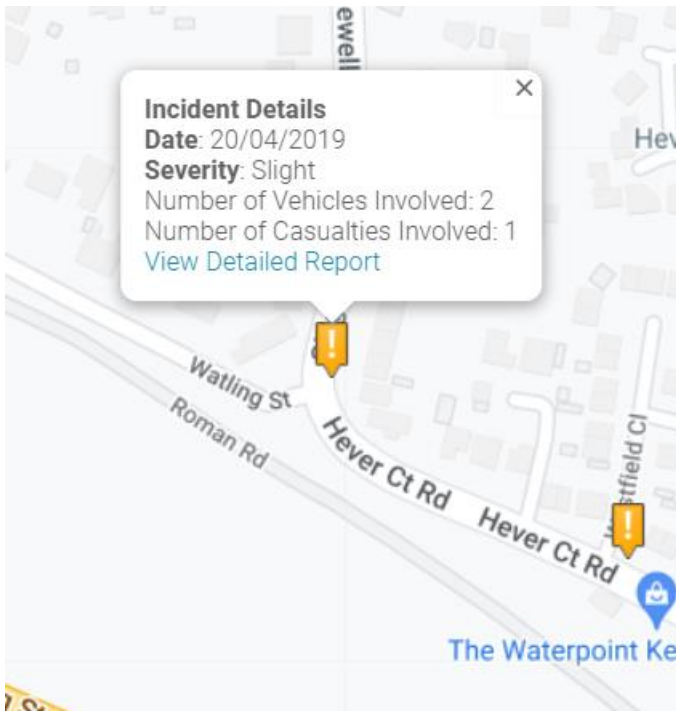
X distance

7.7.6 An X distance of 2.4 m should normally be used in most built-up situations, as this represents a reasonable maximum distance between the front of the car and the driver's eye.

7.7.7 A minimum figure of 2 m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered.

7.7.8 Using an X distance in excess of 2.4 m is not generally required in built-up areas.

Given the location of the access (near a bend) and the fact that Singlewell Road serves as part of a direct link between the A2 and Gravesend it is not considered that part of a vehicle overhanging the carriageway is appropriate as an approaching vehicle may swerve to avoid with the risk of collision with an approaching vehicle. Looking at crashmap.co.uk there has been one accident in 2019. (details not checked) in the 5 years between 2017 and 2021 inclusive.



Extending the search back to 1999, the start of crashmap records there have been a total of 4 recorded accidents, all of which resulted in slight injuries. (2000, 2009, 2011 being the other years). Whilst this number of accidents and frequency may not give rise of any concerns in terms of remedial issues. The introduction of a repositioned access nearer the bend could result in an additional distraction to the detriment of road safety.

In terms of the proposed gates, looking at the various Google Street View images the existing gates never appear to have been used.



October 2008



October 2009



April 2012



May 2014



September 2015



July 2016



May 2018



May 2019

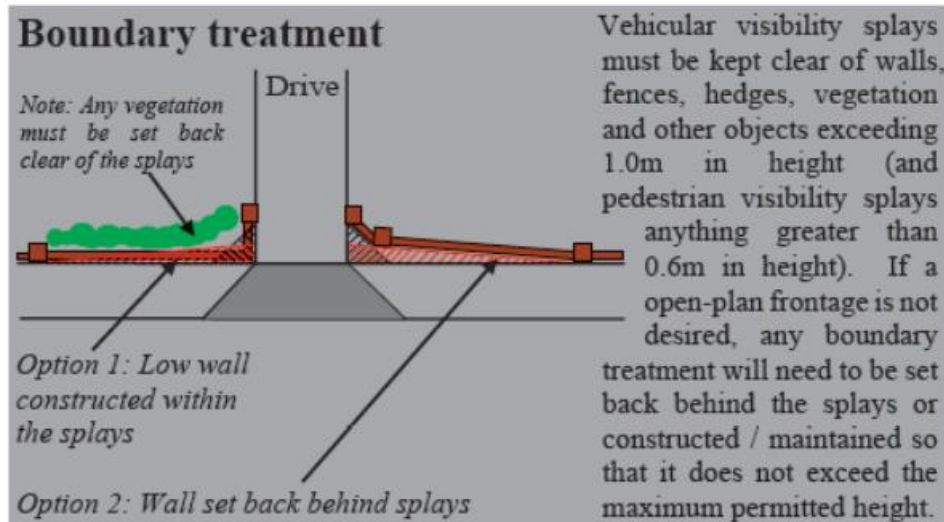


April 2021

In terms of pedestrian visibility splays Kent County Council gives the following guidance;

Footway visibility

X-dimension 2.0m from back of footway
Y-dimension 2.0m within these splays,



There should be no obstruction to visibility between heights of 0.85m and 2.0m above footway level. If the footway is likely to be used by small children, the height should be reduced to 0.6m. Where all or part of the splay lies across land outside of the applicant's control, a relaxation to this requirement may be considered, taking into account the amount of pedestrian activity along the footway and the width of the footway.

It is accepted that this guidance can be confusing, but pedestrian visibility splays should be clear of any hard or soft landscaping and boundary treatments exceeding 850mm in height, (reduced to 600mm where small children can be anticipated)

Kent County Council also give the following advice in terms of gates in their Vehicle Crossing Self-Assessment publication

9. Gates

If gates are to be fitted across the vehicle entrance to your property they must not open outwards across the highway. Additionally, on busy roads they must be set back at least 5m from the edge of the carriageway to allow the driver to park clear of the highway whilst opening the gates. Remember, sufficient space must exist within the site for the gates to close.

https://www.kent.gov.uk/_data/assets/pdf_file/0004/27688/Vehicle-crossing-pre-application-guidance.pdf

Given the proximity of the adjacent junction, bend and the fact the road forms a direct link between the Town Centre and the A2, a vehicle waiting for gates to open would be a hazard to passing traffic.

In addition to the above, the applicant should designate an area where 5 cycles can be securely parked to comply with the requirements of SPG4 of one cycle space per bedroom, this can be an existing out building but should be protected from being used for other purposes.

The driveway requires a carefully designed drainage system to ensure it complies with Building Regulations and does not result in a soakaway being within 5 metres of the highway or a building and no surface water discharges onto the highway.

The applicant needs to note he will be required to provide electric vehicle charging points for each dwelling.

I therefore recommend this application should be refused on highway safety grounds.

- (1) Proximity of access to junction to the detriment of road safety
- (2) Use of gates, which can leave a vehicle waiting on the highway whilst they are opened to the detriment of road safety and free flow of traffic
- (3) Suitable pedestrian visibility splays are not provided, (boundary treatment should not exceed 850mm) to the detriment of highway safety.

Issues regarding drainage, materials and any possible lighting can all be conditioned

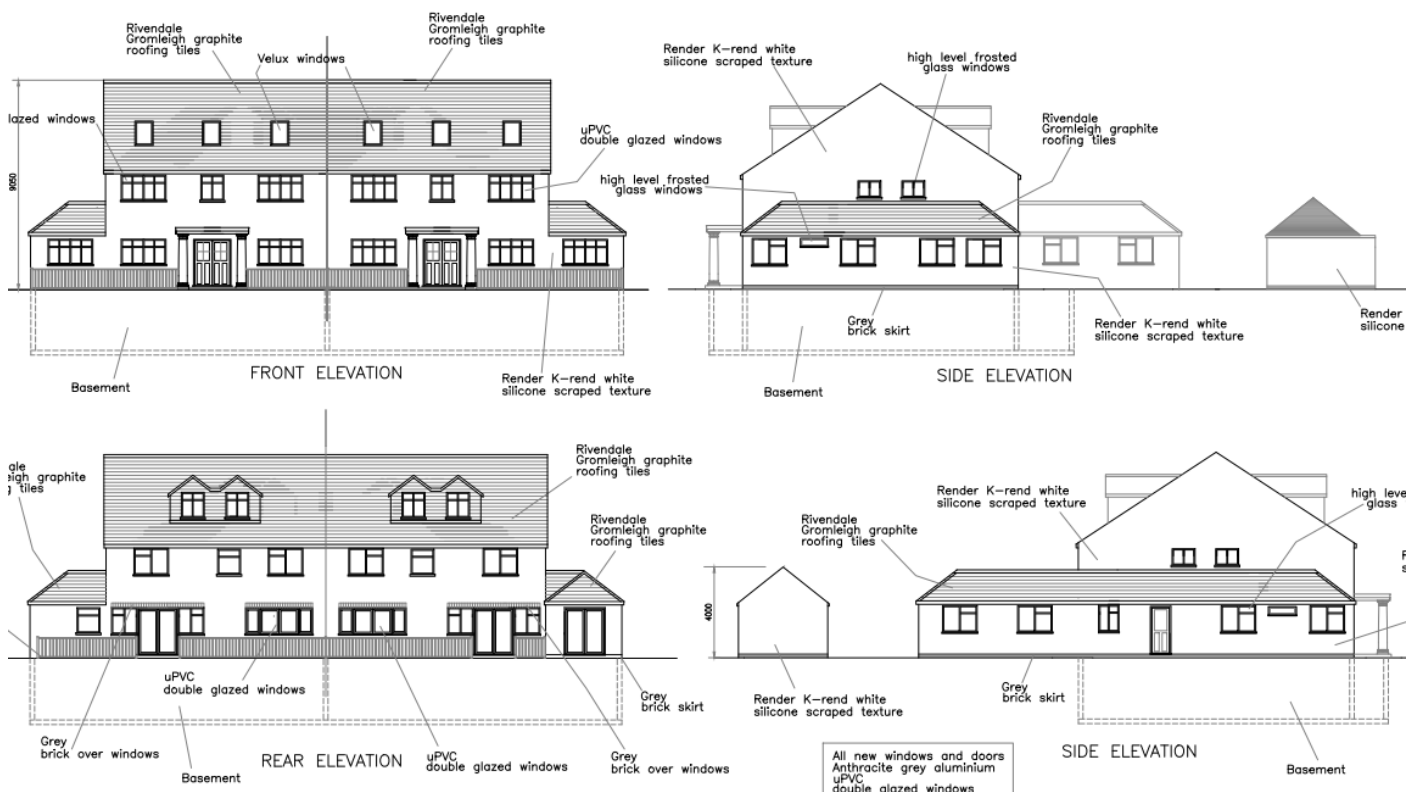
Neighbouring properties

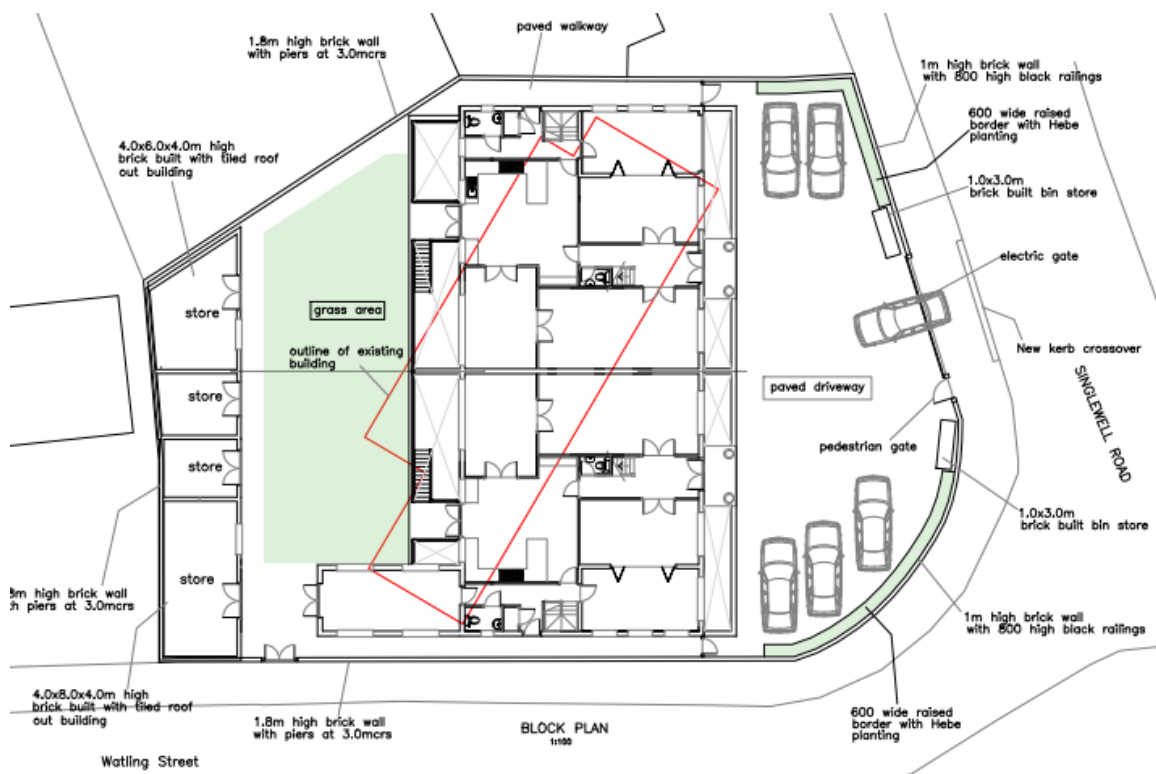
The application has been advertised by individual neighbour letters to eight properties. No letters of representation have been received.

Officer's Analysis

Proposal

Erection of two self-build residential dwellings with side annex and outbuildings along with associated parking.





The plans also show a basement which was also included in the 2009, 2010, 2012, 2022 (refused) and 2022 (approved) applications.

In terms of the differences between this application and the previous the properties are now shown to have pitched roofs rather than hipped. There are fences (?) to the front and rear surrounding the stairs to the basement. There are larger projections to the rear and the study is now shown to be an annexe.

Procedural note: Plan JC/21/02 rev E shows dormer windows to the front and rear on the side elevation drawing but not on the front. Plan JC/21/01 rev H shows stairs to the basement on the ground floor but does not show them in the basement. Plan JC/21/03 rev F shows a front projection or area which appears to be a small fence but this is not shown on the side elevations. This is the same to the rear where there are rear projections shown on the floor plan but not on the side elevations and it is not clear what this is.

Housing Need

In *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 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 2022-2027, 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) (2023). 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 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.

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 187) and/or designated as Sites of Special Scientific Interest;
- Land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, 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 72);
- 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 (paragraph 128(c)) in context, 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.

The proposed development for a net increase of '1' residential unit would offer a minimum contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the Development Plan and NPPF (2023) which requires new development to be high quality, beautiful and create acceptable living conditions for future occupiers.

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 National Planning Policy Framework (NPPF) and established local planning policy taken as a whole.

Design, Character and Appearance

The application site is located at the south eastern end of Singlewell Road on the corner of Watling Street. Currently the site consists of a large detached property which is mock Tudor in design. The rear of the property currently has a generous sized garden.

The site has a frontage of 29 metres along Singlewell Road with a secondary frontage in excess of 30 metres along Watling Street. To the north and west of the site are detached two storey dwellings. West of the site is Singlewell Road and beyond that is a row of four two storey terraced dwellings. South of the site is Watling Street and beyond this is the former A2 which is now a cycle park and footpath. Beyond the park is the realigned A2.

The proposal is for two semi-detached dwellings in an area of predominantly detached dwellings. The dwellings in Singlewell Road do differ significantly in design to the point where the street scene could

reasonably be described as “mixed”, with linked detached houses opposite of mock Tudor design, earlier 1970s style dwellings to the north of the site and a more contemporary pair of semi-detached dwellings further north. The existing building is prominent and presents a sense of relative grandeur to the street by virtue of its large front garden and double access driveway. Although the property is a single dwelling, its width, mass and bulk gives a similar impression as two narrower semi-detached properties.

This is the 10th application since 2009 relating to the demolition of 377 Singlewell Road and the replacement with two dwellings. This proposal differs from 20220745 as it now shows pitched roofs rather than a hipped roof. The position of the dwelling is similar but the footprint is larger. The loss of the front bay windows that were previously shown in the application before the last one was regrettable as these added character to the dwellings and now the roof has been altered from hip to gable which does lead to a bulkier appearance. None of the previous applications has shown pitched roofs and whilst there are some visible in the street scene, these are on detached houses that are not located on a prominent corner. The previously proposed hipped roofs softened the appearance of the buildings and took reference to what is currently on site.

No landscaping or boundary details have been provided despite concerns being raised in previous applications regarding the lack of landscaping and loss of biodiversity. In order to soften the appearance of the development, make a positive contribution to the street scene and ensure no net loss of biodiversity, soft landscaping is important however these can be required by condition.

The proposed semi-detached dwellings, due to their pitched roofs and enclosed stairways located on this prominent corner site, results in a bulky and dominant development that will not enhance the character of the street scene and therefore conflicts with the objectives of Policy CS19 of the Core Strategy 2014 and para. 135 of the National Planning Policy Framework 2023.

Amenity

Future Occupiers

Both properties have an internal floor area that far exceeds the required space for a five bedrooms dwelling. The bedrooms meet the size standards and all habitable rooms contain sufficient outlook and daylight.

The rear garden area of the northern most property is approx. 82.09sqm and approx. 8m deep and the rear garden area of the southern most property is approx. 94.73sqm and approx. 8m deep. The adopted local residential standards require a minimum of 100sqm of garden space and 10m in depth. The rear gardens fall short of this and, given the size of the dwellings, will result in insufficient amenity space for the future occupiers of these dwellings.

Neighbouring Amenity

The proposed dwellings will have first and second floor windows. The current property has first floor windows and overlooking is mutual in this location. The roof of the current building could contain windows without requiring planning permission and would have the same impact the proposed dormers. The overlooking is therefore not considered significant. Due to the distances between properties and their orientation there will be no detrimental impact in terms of loss of outlook, sunlight or daylight.

Due to the inadequate garden space for the two dwellings, the proposal will result in insufficient levels of amenity for the future occupiers of the dwelling and therefore the proposal conflicts with the objectives of Policy CS19 of the Core Strategy 2014 and para. 135f of the National Planning Policy Framework 2023.

Ecology and Biodiversity

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent

years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £328.27 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds. The applicants have paid towards the mitigation.

The proposal therefore secures a contribution towards strategic mitigation measures within Special Protection Areas, and complies with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 186 and 187) of the National Planning Policy Framework 2023 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Biodiversity Net Gain

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

Parking and Highways

The Highways Officers at local and county level initially raised concerns with the previous application however, this application has essentially been approved before numerous times and no objection was raised on highways grounds initially.

The changes between the last four applications have no impact on the parking or access arrangements. A condition is recommended on any forthcoming approved that the existing crossover is removed and the highway made good prior to the occupation of the properties. A condition is also recommended to ensure no gates are used to the entrance and that nothing obscures the vision splays of the entrance. Subject to these conditions, the proposal accords with Policy CS11 of the Core Strategy 2014 and saved Policy P3 of the Gravesham Local Plan 1994.

Conclusion

The proposed semi-detached dwellings, due to their pitched roofs and enclosed basements stairways located on this prominent corner site, results in a bulky and dominant development that will not enhance the character of the street scene and therefore conflicts with the objectives of Policy CS19 of the Core Strategy 2014 and para. 135 of the National Planning Policy Framework 2023.

The area of the rear garden to both properties falls short of the required 100sqm for a four bedroom house and, due to the number of bedrooms, basement and numerous outbuildings, the insufficient garden space will have a detrimental impact on the enjoyment of the property for future occupiers and therefore conflicts with the Gravesham Residential layout guidelines 2020, policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 135f of the National Planning Policy Framework 2023.

Recommendation:

Refuse

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	9/9/24	Dated:	9th September 2024