



Delegated Report

Planning Application

Planning Application No: 20220956

Location: 28 Coutts Avenue, Shorne, Gravesend DA12 3HJ

Description: Reserved Matters Application for the approval of details of appearance, landscaping, scale, full particulars of all fences, walls or other means of enclosure to the plot boundaries of the residential units and of cycle storage and refuse bin storage facilities pursuant to outline planning permission reference number 20190870 for the outline application with some matters reserved for the demolition of existing garage, and erection of 2no. three bedroom houses each vehicular access.

Applicant: Mr C King, CT Building Contractors Ltd.

Site Visit Date: Various

Submitted Documents/Plans

Application form
Covering letter
Drawing no. 007 (ver 2) (site location plan)
Drawing no. 006 (ver 2) (landscaping plan)
Drawing no. 005 (ver 2) (block plan)
Drawing no. 003 (ver 1) (28B floor plans)
Drawing no. 004 (ver 1) (28B elevations)
Drawing no. 001 (ver 2) (28A floor plans)
Drawing no. 002 (ver 1) (28A elevations)
Drawing no. 008 (ver 2) (bicycle and bin store details)

Relevant Planning History

20190870	Outline Application with Some Matters Reserved for the demolition of existing garage, and erection of 2no. three bedroom houses each vehicular access.	Permitted	16.10.2019
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There have been two other recent applications on the site:

20220642	Demolition of the existing garage and erection of 3no. four-bedroom houses and creation of new vehicular access and associated works.	Refused	29.09.2022
20211382	Demolition of garage and sun lounge and erection of a two storey	Permitted	10.01.2022

front extension incorporating new integrated garage, alterations and raising of the roof, erection of rear dormer windows to create habitable rooms on first floor, erection of a single storey rear extension, creation of new vehicular access and laying of hardstanding.

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)

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

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 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 places
- Section 15 – Conserving and enhancing the natural environment

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 3.27 year supply has most recently been calculated within the statement published [here](#)), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF. 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 NPPF paragraph 181)
- Sites of Special Scientific Interest;
- Green Belt,
- Local Green Space,
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats;
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68); 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 125(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.

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

Shorne Parish Council

This application relates to application ref 20190870 however a later application ref 20220642 is awaiting determination.

The application has several sections and the Parish Council has the following comments with objections where stated:

Plot 28A

The original application proposed a 3-bedroom dwelling of the same footprint as the original No 28 whereas this application has a 4-bedroom house with a larger footprint at location 28A.

Application ref 20211382 subsequently allowed No 28 to have a changed design and 4 bedrooms, the Parish Council had OBJECTED to this due to the proposal being an incongruous design and forward of the building line, and with a low amount of amenity space for the area but permission was granted by GBC.

There is no reason for the design and size of 28A to also be changed, and a design based on the previously agreed 3-bedroom footprint should instead be submitted as that would blend better between Nos. 28 and 30.

The Parish Council considers that with the small and constrained size of the plot, a 4-bedroom house represents overdevelopment.

Alternatively, if GBC are minded to permit a 4-bedroom design matching No 28 then we suggest that 28A should be moved back on the plot so that the building line averages between the new design No 28, and No 30, and be given a larger garden by splitting the remaining plot between dwellings 28A and 28B. The amenity space of 28A is presently very small and out of character with the general area.

The bin store for 28B encroaches on the parking provision for 28A (see also below).

The plot only has two parking spaces and no visitor parking. Parking on Coutts Avenue is extremely constrained through a combination of narrowness and competitive demand and this proposal makes the situation worse through the creation of wide crossovers, as also at No 28, as well as the access road to 28B.

Plot 28B

It is not clear if the shed/cycle store is only for 28B or is shared, which would be unusual. Assuming it is only for 28B it would be better located nearer the house it relates to.

Subject to comments above about the inadequate amenity space allocation of 28A, 28B could usefully be moved to be more central on its plot.

As stated in our previous representations the bin store is impractically (for the dwelling/residents) and pointlessly distant from the house as GBC refuse collectors anyway require bins to be taken to the kerbside for their access.

Conditions should be attached such that the loft cannot be converted, or only with high level roofslope windows.

The proposed accommodation is cramped and out of character with the area. There is a disproportion between the size of the bungalow and the size of its plot, the bungalow could be made larger in footprint (but only single storey).

This plot also has only two parking spaces although the turning head could be used by visitors for short periods.

Overall matters

We note that there are no trees on the proposed plots, especially 28B as shown although examination of the Google aerial view shows that the property includes a number of sizeable/mature trees, these should be retained as much as possible.

Still relevant Conditions previously attached should be carried forward to this new application.

If to be permitted, conditions should be imposed removing all permitted development rights from the new 28A and 28B dwellings, to prevent loft conversion, in the latter case to a two-storey dwelling, reasons include protecting the amenity of neighbouring properties and that enlargement of the dwellings could render the parking provision to be even more inadequate.

Similarly addition dwellings should not be permitted on the overall site.

Highway Development Management Officer

I have no objections to the revised proposal shown on drawing 006 (Ver2)

Neighbouring properties

The application has been advertised by individual letters to seven neighbouring properties. One letter has been received raising the following concerns:

- traffic congestion
- other building work in the vicinity
- dilapidated boundary treatment
- trees as high as the telegraph poles
- proposed properties are out of character with the rest of the cul-de-sac.

Officer's Analysis

Proposal

This application seeks permission for the reserved matters of appearance, landscaping and scale. The means of access and layout have already been agreed via the approved outline application 20190870.

Appearance and scale

The front elevation of the proposed dwelling to the front (north) of the site will appear as below:



The dwelling will be approx. 10.3m wide, 14.2m deep and 6.7m high with a cat slide roof. Internally there will be a study, garage, WC, utility, lounge/kitchen/diner at ground floor and three bedrooms, en-suite, dressing room and bathroom at first floor.

The front elevation of the proposed bungalow to the southwest of the site will appear as below:

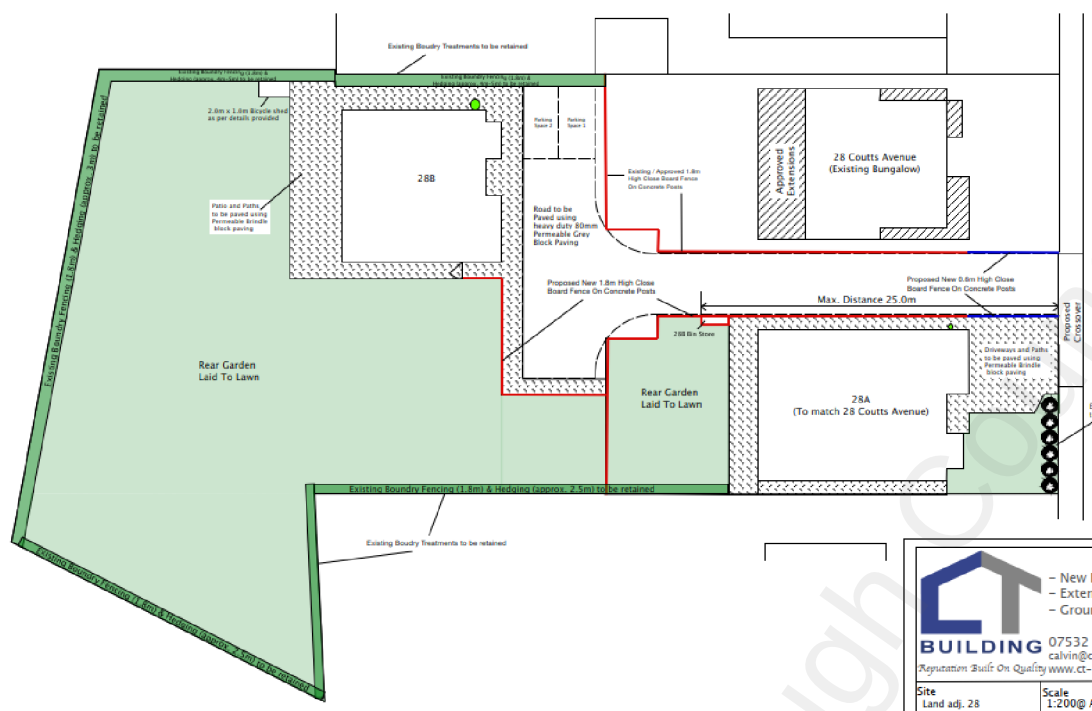


The bungalow will be approx. 10.3m wide, 10.7m deep and 6.6m high with a barn hipped roof. Internally there will be a lounge/diner/kitchen, three bedrooms and a bathroom.

The bin stores will be 1.35m high, 1.9m wide and 0.9m deep. The bicycle stores will be a maximum of 1.36m high, 1.15m deep and 2.1m wide.

Landscaping

The proposed landscaping is shown below:



Procedural matter

The application, when first submitted, showed a different red line boundary to that which was shown on the outline application (20190870). This was raised with the applicant's agent and the plans were amended to reflect the original application.

It was also noted that the property known as 28A was shown to be 3-bed in the outline application and the reserved matters show this to be 4-bed. The applicant's agent has now changed the floor plans to show this as a 3-bed property. Whilst it is likely this could be easily converted to a 4-bed dwelling, a condition to prevent this would not be enforceable.

Principle

The principle of development has been accepted under reference 20190870. The main issues to consider in the determination of this application are as follows:

- Design and impact on character and appearance of surrounding street scene and rural landscape; and
- Residential amenity.

Housing Need

In regard to housing need, Policy CS02 (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. This engages the first part of footnote 8 of the National Planning Policy Framework and this means for decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the National Planning Policy Framework Para 11(d) unless:

- i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
- 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.

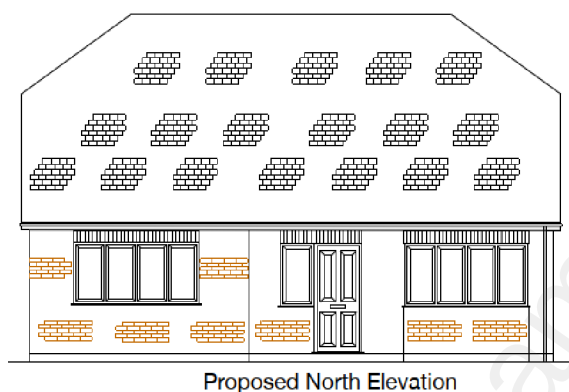
The principle of the proposed development for a net increase of '2' no. dwellings has already been established through the approved outline permission 20190870.

Design, Character and Appearance

The application site is currently a detached chalet bungalow with a large single storey extension to the side. There is also side access to the rear. The rear garden is large and is laid to lawn with many trees and shrubs. The site is located within the village envelope and within the Higham Arable Farmlands Landscape Character Area.

The properties within the cul-de-sac are arranged close together. The distances between dwellings typically are 3.5-4m apart. The approved layout shows large distances between the existing property, no. 28 and the proposed, no. 28A. The approved property will match that at no. 28 and therefore will be in keeping with the character, appearance and the layout of the street scene.

The property to the rear (28B) will be single storey and is shown below:



It was deemed important that it was single storey within 20190870 in terms of the character of the street scene but also to minimise the impacts on neighbours' amenity.

In terms of design the proposal is to be finished in brick with a barn-hipped roof. This is not dissimilar to other properties in the area which are generally bungalows that differ in design. Due to its location to the rear of the site it will also not be readily visible. The use of the 'Wienerberger Hathaway Brindled' brick and 'Marley Old English' dark red plain tiles with white uPVC windows and doors and black plastic downpipes is acceptable.

28A will be a two storey dwelling. No details were provided to its appearance within the previous application save for an annotation on the proposed block plan that stated 'new three bedroom dwelling to match 28 Coutts Avenue'. The drawing below shows the proposed front elevation:



This does not match no. 28 however, permission has been granted for no. 28 to be extended (20211382) and, when complete it will appear much more similar to the proposal at no. 28A:



On the basis that no. 28 has been granted permission to appear as above, it would be unreasonable to refuse the details of no. 28A. As previously mentioned, the properties are mixed in design and type, most being extended bungalows, and the proposed appearance of no. 28A is not considered out of keeping with the surrounding area. It is noted that the Parish Council has raised concerns about the design and the size of the garden but the street is not uniform in appearance and nor is the 'building line'. The size of the garden is discussed below.

With regard to the impact on the landscape, Policy CS12 of the Core Strategy 2014 is also relevant to this application, relating to green infrastructure. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (LCA) 2009 will be taken into account in determining applications. The site is located within the Higham Arable Farmlands Landscape Character Area. One of the key characteristics of the area is the open, gently undulating farmland, which provides high visibility across the area. The overall condition of the landscape is poor and has moderate sensitivity. It is recommended that key landscape elements should be restored and created. Proposals that introduce extensive or obtrusive elements within visually sensitive areas of the open landscape should be resisted. As this site is within the rural settlement of Shorne and comprises an existing residential site, the development would have no adverse impact on the wider landscape character of the area.

In terms of landscaping, the proposal is to lay the gardens to lawn with hedging to the front of no. 28A. The existing boundary hedge and fencing surrounding the site is to be retained. There are a number of trees on the site and there is no mention within the application of whether these will be retained. This is discussed further in the 'Ecology' section. The hard landscaping will differ depending on the space – the driveways and paths will be finished in permeable Brindle block paving and the road will be paved using heavy duty

permeable grey block paving. This will add some interest to the development and no objection is raised to this.

The bin stores and cycle sheds are of a standard design finished in timber and no objection is raised to the appearance and position of these.

Overall, the proposal seeks to make a more efficient use of the site for housing, and the layout, scale and appearance of the proposed dwellings would be in keeping with the character and appearance of properties in the immediate area. On this basis, the submitted reserved matter details are considered to comply with the requirements of Policies CS12, CS14 and CS19 of the Core Strategy 2014, and paragraphs 119, 124, 126, 130 and 174 of the NPPF 2021.

Amenity of Future Occupiers

No. 28A

This proposed dwelling will have an internal floor area of approx. 209sqm which meets the nationally prescribed standards for a three bedroom, six person dwelling. All the habitable rooms have sufficient outlook, privacy and daylight and meet the standards in terms of size. The rear garden also meets the locally prescribed standards and will have sufficient sunlight.

No. 28B

The proposed bungalow will have an internal floor area of approx. 89sqm. This meets the national standards for a three bedroom, four person, single storey dwelling. The bedrooms also meet the national standards. All habitable rooms will have sufficient outlook, privacy and daylight. The rear garden meets the local standards in terms of size and will have sufficient sunlight.

Neighbouring Amenity

The outline plans did not show any details relating to the design of the properties and therefore the position of windows. The submitted plans now show these details. Windows are positioned in the front and rear of no. 28A with the exception of the utility and en-suite windows on the western flank. The first floor en-suite window can be fitted with obscure glass to avoid any overlooking or perceived overlooking of no. 28.

There are sufficient distances between the dwellings and neighbouring properties that there will be no detrimental impact on any neighbouring properties in terms of overlooking, outlook, loss of sunlight or daylight.

The proposed development therefore would accord with Policy CS19 of the Core Strategy 2014 and para. 127f of the National Planning Policy Framework 2019.

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. The applicant paid towards this at the outline application stage and therefore the

proposal secures a contribution towards strategic mitigation measures within Special Protection Areas, and therefore the development complies with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Biodiversity Net Gain

It was evident at the time of the officer's site visit during the consideration of the outline application that several trees had recently been removed from the site, including a mature specimen broadly in the location of the proposed backland dwelling. Beyond this now pre-existing (lower) level of soft landscaping and habitat, the development would involve the formation of additional hardstanding areas and human activity.

However, given the size of the wider site it is considered to be capable of bringing about a bio-diversity net gain through a good level of additional planting and habitat creation. The satellite image below shows the level of planting on the site in August 2022:



The submitted landscape plan shows hedging to be retained and lawn to be laid to the garden areas. It would appear that a number of trees are to be lost and therefore, in order to limit the loss of biodiversity, a condition is recommended that two trees shall be planted for each tree lost to the development.

Subject to conditions the proposed development accords with policy CS12 of the Gravesham Core Strategy 2014 and section 15 of the National Planning Policy Framework 2021.

Parking and Highways

Two parking spaces are provided for each property. This level of provision is considered acceptable to serve the proposed two residential units. The Highways Officer has commented above and raised no overall concerns. Conditions are recommended to control surface water from draining onto the highway.

No objection to the proposal on the grounds of parking or highway safety.

Conclusion

The proposed development, in terms of appearance, scale and landscaping will have no detrimental impact on the character and appearance of the street scene, amenity, parking and highway safety and therefore accord with the abovementioned policies and is recommended for approval.

Recommendation:

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	30 November 2022	Dated:	30th November 2022